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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

PAUL MATA, DAVID KAYATTA,  
MARIO PINCHEIRA, SECURED  
CAPITAL INVESTMENTS, LLC,  
LOGOS REAL ESTATE HOLDINGS,  
LLC, LOGOS WEALTH ADVISORS,  
INC., and LIFETIME ENTERPRISES,  
LLC (*dba* LOGOS LIFETIME  
UNIVERSITY),

Defendants

Case No. CV15-01792 VAP (KKx)

**MOTION TO: (1) APPROVE  
RECEIVER'S FINAL REPORT  
AND ACCOUNTING; (2)  
APPROVE FINAL DISTRIBUTION  
PLAN; (3) SELL OR ABANDON  
PROPERTY; (4) CLOSE THE  
RECEIVERSHIP; (5) DISCHARGE  
THE RECEIVER; AND (6)  
AUTHORIZE STORAGE AND  
DESTRUCTION OF  
RECEIVERSHIP RECORDS AND  
MISCELLANEOUS PROPERTY;  
DECLARATION OF ROBERT P.  
MOSIER**

Date: November 6, 2017

Time: 2:00 p.m.

Place: First Street Courthouse

350 W. 1<sup>st</sup> Street

Courtroom No. 8A, 8<sup>th</sup> Floor

Los Angeles, CA 90012

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1 Robert P. Mosier, as Permanent Receiver for Defendants Secured Capital  
2 Investments, LLC, (“Secured Capital”) Logos Real Estate Holdings, LLC, (“Logos  
3 Real Estate”), Logos Wealth Advisors, Inc., (“Logos Wealth”) and Lifetime  
4 Enterprises, LLC (dba Logos Lifetime University) (“Lifetime”) (collectively, the  
5 “Defendants”), as well as Indestructible Peak Management, Inc., Renaissance  
6 Management, LLC, 9327 Fairway View Place, LLC, Logos Management Group,  
7 LLC, Logos Insurance Group, Inc., World Gardens Café, LLC, Chef Ravi Recipes,  
8 LLC, Destiny With a Purpose, LLC, and their subsidiaries and affiliates including  
9 Justina Court LLC and Superior Park RCF, LLC (collectively, the “Receivership  
10 Entities,” and the estate created thereby, the “Receivership Estate”), will and does  
11 hereby move the Court for an order for the following relief to: (1) Approve Final  
12 Report and Accounting; (2) Approve Final Distribution Plan; (3) Sell or Abandon  
13 Property; (4) Close the Receivership; (5) Discharge the Receiver; and (6) Authorize  
14 Destruction of Receivership Records and Miscellaneous Property (“Receivership  
15 Closing Motion”) as follows:

16 1. Approving the Receiver's Final Report and Accounting, a copy which is  
17 attached hereto as Exhibit “1.” The Receiver’s completed Standardized Fund  
18 Accounting Report is attached hereto as Exhibit “2.” The Receiver requests a finding  
19 that all actions and activities taken by or on behalf of the Receiver and all payments  
20 made by the Receiver in connection with the administration of the Receivership  
21 Estate are confirmed and approved.

22 2. Approving the Receiver’s Distribution Plan and authorizing the  
23 Receiver to distribute all assets of the Receivership Estate in the following priority:  
24 (a) pay all allowed administrative expenses and approved fees and expenses of his  
25 professionals as a first priority payment of assets from the Estate; (b) make a final  
26 distribution of all remaining assets of the Receivership estimated to be in the total  
27 amount of \$2,109,621 to the allowed administrative claims and claims of Investors  
28 based on the constructive trust imposed pursuant to prior order, as set forth in the

1 Receiver's proposed distribution plan attached hereto Exhibit "3"; and (c)  
2 subordinate payment of all other claims against the estate, including pre-receivership  
3 claims of taxing agencies and pre-receivership claims of general unsecured creditors,  
4 to the allowed investor claims and make no distribution thereon until after payment  
5 in full of all estate administrative expenses and allowed Investor claims;

6 3. Authorizing the Receiver to turn over to the California Department of  
7 Financial Services Bureau of Unclaimed Property those distributions to claimants  
8 which are not negotiated within sixty (60) days of the date of issuance of the check  
9 or are otherwise deemed void, and any other surplus funds. As to those funds to be  
10 turned over to the California Department of Financial Services, to the extent  
11 possible, the Receiver proposes to remit those funds in the name of the party to  
12 whom the distributions were due so that those persons, or their heirs or successors,  
13 may claim those funds in the future;

14 4. Authorizing the sale of the estate's interest in Landwin Partners Fund  
15 I, LLC ("Landwin") pursuant to a right of first refusal.

16 5. Authorizing abandonment of the remaining nominal assets, consisting  
17 of stock in IE Crowd, promissory notes and liens, the interest in Landwin if not  
18 sold, and the interest in Destiny with a Purpose.

19 6. Authorizing the Receiver to take all steps necessary or appropriate to  
20 complete the administration of the Receivership and its assets in accordance with the  
21 relief granted in this Receivership Closing Motion;

22 7. Authorizing the Receiver to retain the books and records necessary to  
23 support the tax returns filed by the Receiver for a period of five (5) years and to  
24 retain the medical records in Missouri as required by law, and to thereafter destroy  
25 those books and records, including authorizing a reserve of \$9,500 to pay for the  
26 storage and destruction of the records;

27 8. Authorizing the Receiver to destroy, or otherwise dispose of, all books,  
28 records, computer equipment, other computer related-devices, and other items related

1 to the Receivership in the Receiver's discretion and at such time as he deems proper  
2 (other medical records and than those necessary to support the tax returns filed by the  
3 Receiver as set forth above) if within thirty (30) days after written notice to the  
4 Commission, the Commission does not take custody of such records and other items;

5 9. Discharging the Receiver and his agents, employees, members, officers,  
6 independent contractors, attorneys, representatives, predecessors, successors and  
7 assignees, and relieving the Receiver and his agents, employees, members, officers,  
8 independent contractors, attorneys, accountants, representatives, predecessors,  
9 successors, and assignees of all duties, liabilities and responsibilities pertaining to the  
10 Receivership previously established in this action effective upon the Receiver filing a  
11 Closing Declaration in which he attests that he has completed the final distribution as  
12 specified herein, filed the final necessary tax returns, and paid the final fees and costs  
13 of the Receivership. The Receiver requests an order that he and his agents,  
14 employees, members, officers, independent contractors, attorneys, accountants,  
15 representatives, predecessors, successors, and assignees are: (i) discharged; (ii)  
16 released from all claims and liabilities arising out of and/or pertaining to the  
17 Receivership herein; and (iii) relieved of all duties and responsibilities pertaining to  
18 the Receivership previously established in this action.

19 10. Enjoining all persons from commencing or prosecuting, without leave of  
20 this Court, any action against the Receiver or his agents in connection with or arising  
21 out of the Receiver's or his agents' services to this Court in this Receivership. Neither  
22 the Receiver nor any agent, employee, member, officer, independent contractor,  
23 attorney or representative of the Receiver shall have any liability to any person or  
24 entity for any action taken in good faith in connection with carrying out the  
25 Receiver's administration of this Receivership Estate;

26 11. Retaining jurisdiction over any and all matters relating to the Receiver  
27 and the Receivership Estate, including any matters relating to the distribution of  
28 funds received by the Receiver in connection with his obligations as Receiver or

1 otherwise received after the Receivership is closed, and to the extent any dispute  
2 arises concerning the Receiver's administration of the Receivership Estate or to the  
3 extent any person or entity seeks to pursue or assert any claim or action against the  
4 Receiver or any agent, employee, member, officer, independent contractor, attorney  
5 or representative of the Receiver, arising out of or related to this Receivership, the  
6 Court shall retain jurisdiction to hear and resolve any such dispute or claim. The  
7 Court shall expressly retain jurisdiction for the purpose of (a) implementing and  
8 enforcing the provisions of the order on the Receivership Closing Motion, including  
9 but not limited to for the purpose of enforcing the above injunctive relief; and (b)  
10 reopening the case to administer any subsequently obtained assets;

11 12. Closing this Receivership without further order from this Court effective  
12 upon the Receiver filing a Closing Declaration in which the Receiver attests that he  
13 has completed the final distribution as specified herein, filed the final necessary tax  
14 returns, and paid the final fees and costs of the Receivership.

15  
16 **MEMORANDUM IN SUPPORT OF RECEIVERSHIP CLOSING MOTION**

17 **I. FACTUAL BACKGROUND**

18 **A. The Preliminary Injunction Order**

19 On October 8, 2015, this Court entered a Preliminary Injunction Order ("PI  
20 Order") [Docket No. 40]. The defendants stipulated to the entry of the PI Order.  
21 See PI Order, p. 3, ll. 6-8. Robert P. Mosier was appointed as the permanent  
22 receiver pursuant to the PI Order (the "Receiver"). The Receiver replaced the  
23 temporary receiver, Claire Schenck, who had previously been appointed on a  
24 temporary basis to serve as receiver pursuant to the Court's Temporary Restraining  
25 Order and Orders: (1) Freezing Assets; (2) Appointing a Receiver; (3) Prohibiting  
26 the Destruction of Documents; (4) Granting Expedited Discovery; and (5)  
27 Requiring Accountings; and Order to Show Cause Why a Preliminary Injunction  
28 Should not be Granted entered on September 3, 2015 [Docket No. 6].

The PI Order extended the freeze of the assets of the Defendants Secured

1 Capital Investments, LLC (“Secured Capital”), Logos Real Estate Holdings, LLC,  
2 (“Logos Real Estate”), Logos Wealth Advisors, Inc., (“Logos Wealth”) and  
3 Lifetime Enterprises, LLC (*dba* Logos Lifetime University) (“Lifetime”), Paul  
4 Mata, David Kayatta, and Mario Pincheira, and each of their subsidiaries and  
5 affiliates (collectively, the “Defendants”), as well as Indestructible Peak  
6 Management, Inc. (“Indestructible”), Renaissance Management, LLC  
7 (“Renaissance”), 9327 Fairway View Place, LLC (“Fairway”), Logos Management  
8 Group, LLC (“Logos Management”), Logos Insurance Group, Inc. (“Logos  
9 Insurance”), World Gardens Café, LLC (“World Gardens”), Chef Ravi Recipes  
10 (“Chef Ravi”), LLC, Destiny With a Purpose, LLC (“Destiny”), and their  
11 subsidiaries and affiliates, including Justina Court LLC (“Justina”), Superior Park  
12 RCF, LLC (“Superior”), and the PI Order imposed numerous other restrictions on  
13 their business and financial activities.

14 The PI Order also appointed Robert P. Mosier as the permanent Receiver of  
15 Secured Capital, Logos Real Estate, Logos Wealth, Lifetime, Indestructible,  
16 Renaissance, Fairway, Logos Management, Logos Insurance, World Gardens, Chef  
17 Ravi, Destiny, Justin, and Superior (collectively, the “Receivership Entities,” and  
18 the estate created thereby, the “Receivership Estate”), and charged him with the full  
19 powers of an equity receiver over all funds, assets, collateral, premises (whether  
20 owned, leased, occupied, or otherwise controlled), choses in action, books, records,  
21 papers and other property belonging to, being managed by or in the possession of or  
22 control of the Receivership Entities. The PI Order imposed a number of duties on  
23 the Receiver, including taking custody and control of the Receivership Entities and  
24 all of their assets, to investigate the Receivership Entities to locate and account for  
25 the Receivership Entities’ assets and to take steps necessary and appropriate to  
26 preserve the receivership assets.



1        **B. Activities of the Receiver Including Disposition of Assets and Investigation of Claims**  
2        **and Receivership Entities' Financial Transactions**

3        After his appointment, the Receiver took possession and control over all  
4        known assets of the Receivership Entities from the temporary receiver. The  
5        Receiver was authorized to engage Diamond McCarthy LLP as General Counsel  
6        and Mosier & Company, Inc. as Forensic Accountants as requested in the  
7        Receiver's Notice of Motion and Motion for Order for Approving Employment of  
8        Diamond McCarthy LLP as General Counsel and Mosier & Company, Inc. as  
9        Forensic Accountants [Docket No. 60] (the "Employment Motion"), which was  
10       granted by order entered on December 2, 2015 [Docket No. 72]. The Receiver  
11       subsequently sought and obtained approval to employ Hagen, Streiff, Newton &  
12       Oshiro, Accountants, PC as forensic accountants to investigate and analyze the  
13       Receivership Entities' pre-receivership financial transactions. *See* Notice of Motion  
14       and Motion for Order for Approving Employment of Hagen, Streiff, Newton &  
15       Oshiro, Accountants, PC, as Forensic Accountants, granted by order entered on  
16       January 13, 2016 [Docket No. 80].

17                **1. Receiver's Reports and Sales of Assets**

18        The Receiver has filed three reports to the Court addressing his activities and  
19        summarizing the status of his location and disposition of receivership assets. On  
20        December 4, 2015, the Receiver filed his First Status Report on the Operational and  
21        Financial Aspects of Secured Capital Investments, LLC [Docket No. 73] (the "First  
22        Report"), which set forth his preliminary findings in the case. The Receiver requests  
23        that the Court take judicial notice of the Report. The Receiver's First Report  
24        provided an overview of the Receiver's initial activities in the case, an accounting  
25        update and a status report on the Receiver's initial analysis of the assets of the  
26        estate. Since that time, the Receiver and his professionals have continued to gather  
27        documentation relating to the assets of the case and to administer those assets.

28        On January 22, 2016, the Receiver filed his Notice of Motion and Motion for

1 Order of Sale re: Real and Personal Property by Public Auction Free and Clear of  
2 Liens, Claims, and Encumbrances; or in the Alternative, Abandonment of Over-  
3 Encumbered Assets [Docket No. 85] (“First Sale Motion”). The First Sale Motion  
4 was granted by order entered February 2, 2016 [Docket No. 98]. The assets  
5 addressed in the First Sale Motion were the primary assets left at the time the SEC  
6 shut down the Receivership Entities’ business. Those properties were encumbered  
7 by numerous and substantial liens, including liens for delinquent taxes as well as  
8 substantial consensual mortgage liens.

9 On May 25, 2016, the Receiver filed the Permanent Receiver’s Second Status  
10 Report [Docket No. 122] (“Second Report”). The Receiver concluded the auctions  
11 of the real and personal properties authorized to be sold pursuant to the First Sale  
12 Motion. Two of the real properties scheduled for auction did not sell at the auction.  
13 The net proceeds from the sale of the properties sold in the Receiver’s initial round  
14 of sales totaled \$2,120,902.

15 The Receiver’s Second Report identified the remaining assets of the  
16 receivership to be addressed by the Receiver, which included two real properties  
17 that had not been sold as of that time - a vacant hospital in Excelsior Springs,  
18 Missouri and a vacant house in Kentucky. It also identified other intangible assets  
19 with uncertain value as to which the Receiver was formulating a disposition plan,  
20 including a portfolio of tax liens, an interest in a REIT, stock in IE Crowd, a  
21 portfolio of bad loans, and an interest in a portfolio of trust deeds. On September  
22 30, 2016, the Receiver filed a second sale motion, the Motion of Receiver for Order  
23 Authorizing: (1) Sale of Miscellaneous Assets on An As-Is, Where-Is Basis,  
24 Subject to All Liens, Claims and Encumbrances; or (2) In the Alternative,  
25 Abandonment of Assets [Docket No. 138] seeking to approve the sale of those real  
26 properties and certain additional miscellaneous assets. The second sale motion was  
27 granted by the Court’s order entered on November 8, 2016 [Docket No. 146]. The  
28 sales of all of these assets have been concluded and all tangible and intangible

1 assets of the estate have been converted to cash or abandoned with Court approval.  
2 The Receiver recovered \$12,981 in net sale proceeds from the additional assets  
3 subject to the second sale motion. The Receiver believes no other assets of the  
4 Receivership Entities exist that have not been converted to cash and held as  
5 proceeds in the Receivership Estate or abandoned from the estate with Court  
6 approval.

7 The Receiver's Third Status Report [Docket No. 149] identified remaining  
8 assets in the receivership estate which were of limited value. The Receiver collected  
9 additional funds in connection with the investment in Landwin Partners Fund I,  
10 LLC ("Landwin") and believes that there may be an additional distribution from  
11 Landwin in the future. However, the amount and timing of any such distribution is  
12 speculative and the Receiver does not believe it is appropriate to hold the  
13 receivership open for this. The Receiver received an offer for the estate's interest in  
14 Landwin and negotiated a sales price of \$8,000. Pursuant to the right of refusal  
15 offered to Landwin, an investor in Landwin as exercised that right and the Receiver  
16 seeks Court approval of the sale of that asset.

17 By this Motion, the Receiver also seeks to abandon the remaining nominal  
18 assets, consisting of stock in IE Crowd, promissory notes and liens, and any interest  
19 in Destiny with a Purpose.

20 **2. Remaining Assets**

21 **a. Notes Receivable**

22 The Receiver was made aware of certain notes receivable allegedly owed to  
23 SCI. He made repeated demands and collection efforts but unfortunately has  
24 determined that any further costs of collection will not yield value for the estate.  
25 Accordingly, the Receiver seeks to abandon the following notes receivable:

26 The Jara Group	\$100,000
27 DHL Shipping	\$85,000
28 Telos Breakthrough Principles	\$50,000
Telos Breakthrough Principles	\$20,000

Chinos Rock and Taco	\$33,000
Anthony Cole	\$85,000
Anthony Cole	\$50,000
Anthony Cole	\$35,000
Ethos Digital	\$100,000
Sergio Rodriguez	\$31,400
AMD Electric	\$30,000
Ruben Miranda/Kool Filtration)	\$25,000
The Hourglass Art & Wine Gallery	\$25,000
The Modern at White Rock Lake	\$15,585
Marvin Santamaria	\$10,000
Agapay Products Incorporated	\$5,000
Identity Design / U-Challenge	unknown

(collectively, the “Notes Receivable”).

**b. Destiny With a Purpose**

The Receiver is advised that SCI owns a 22.36% interest in an entity known as Destiny with a Purpose. That entity is not believed to own any assets and the estate has not realized any value from the entity. Accordingly, the Receiver seeks to abandon any interest in Destiny with a Purpose.

**c. IE Crowd Stock**

The Receiver is advised that the estate owns an interest in certain stock in Innovation Economy Corporation aka IE Crowd (“IEC”). Additionally, the Receiver located a promissory note dated November 3, 2011 in the amount of \$250,000 payable from IEC to SCI. Although the Receiver was advised that the company might go public and thereby create value for the estate, he has learned that a public offering will not take place, that the stock is of minimal value, and that the note is not collectible. Accordingly, the Receiver seeks to abandon any interest in IE Crowd.

**d. Landwin**

The Receiver is advised that the estate holds an interest in 1.5 membership

1 units in Landwin. The Receiver has received distributions from this interest in the  
2 total amount of \$28,650.36. He is advised that a further distribution may be  
3 imminent, but such a distribution is uncertain. The Receiver received an offer for  
4 the remaining interest in Landwin from an investor. He negotiated a price for the  
5 asset of \$8,000, which was subject to the right of first refusal required under the  
6 terms of the Operating Agreement of Landwin. The Receiver offered the right of  
7 first refusal to Landwin, who chose to exercise it. Landwin Fund member Martin H.  
8 Valdez offered \$8,000, and the Receiver entered into the Purchase and Sale  
9 Agreement attached hereto as Exhibit “4” which is subject to Court approval. The  
10 Receiver requests Court approval of this sale at this time.

11 **3. Claims Filing and Bar Date Notice to the Taxing Agencies**

12 On January 13, 2016, the Receiver filed his Notice of Motion and Motion  
13 Order for (1) Establishing Claims Bar Date; (2) Approving Form and Manner of  
14 Notice; (3) Approving Proof of Claim Form and Summary Procedures; (4) Staying  
15 Post-Receivership Interest; (5) Establishing the Net Investment Method for Existing  
16 Investor Claims. The motion was approved, and the bar date was set for May 2,  
17 2016 under the Court’s order entered February 2, 2016 [Docket No. 96] (“Claims  
18 Administration Order”). The Receiver implemented a claims filing and allowance  
19 procedure pursuant to the Claims Administration Order.

20 Proofs of claim by investors and unsecured creditors filed within the claims  
21 bar date have been reviewed by the Receiver and all objections have been resolved.  
22 There are 95 investors with allowed claims against the receivership estate totaling  
23 \$13,989,345.05 (the “Investor Claims”).<sup>1</sup> The Receiver also received 12 claims  
24 from pre-receivership non-investor creditors whose claims total \$21,869.10  
25

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26 <sup>1</sup> One late filed claim for Investor Suber has been included in the Investor distribution in the  
27 amount of \$27,368.50, representing the net investment amount for that claim. Suber was not a  
28 known investor and did not receive notice of the claims bar date, so the Receiver requests authority  
to allow this claim and include it in the distribution.

1 (“Unsecured Creditor Claims”). In addition to claims by the Receiver and his  
2 professionals for post-receivership services (the “Professional Fees”), there are 7  
3 other outstanding post-receivership administrative claims totaling \$27,400.41 (the  
4 “Administrative Claims”).

5 On September 22, 2016, the Receiver served a notice to the known taxing  
6 agencies with potential claims against the estate that had not been served with the  
7 prior claims bar date notice to investors and non-investor creditors (“Tax Claims  
8 Notice”). The Tax Claims Notice gave the taxing agencies until December 22, 2016  
9 to file claims with the Receiver, a period of more than 60 days and the equivalent  
10 notice period provided to investors and non-investor creditors. The Receiver  
11 received claims from the Internal Revenue Service (“IRS”) for \$2,162.17,  
12 California State Franchise Tax Board for \$53,568.33 and the Employment  
13 Development Department for \$5,605.91. The total dollar amount of the claims filed  
14 by the taxing agencies is \$61,336.41 (the “Tax Claims”).

#### 15 4. Constructive Trust Ruling

16 The Receiver concluded that assets of the Receivership Entities as of the  
17 commencement of the receivership should be deemed assets held in constructive  
18 trust for the benefit of the investors in the Receivership Entities. The Receiver  
19 obtained a determination from the Court that those assets constitute constructive  
20 trust assets held for the benefit of the Receivership Entities/investors and that as a  
21 result the funds held in the Receivership Estate, after payment of estate  
22 administrative expenses, should be distributed to the defrauded investors on their  
23 allowed claims. *See* Order Granting Receiver’s Motion for Order (1) Establishing  
24 Constructive Trust; and (2) Approving Bar Date Notice for Taxing Agencies  
25 entered on February 27, 2017 [Docket No. 164].

#### 26 C. Receiver’s Proposed Final Distribution Plan

27 The Receiver has prepared a proposed Final Distribution Plan as set forth  
28 herein which sets forth the funds the Receiver anticipates will be available for

1 payment of claims, the categories of claims, and the proposed distribution scheme.  
2 A list of the allowed claims by category and the proposed distribution to them is  
3 attached here to as Exhibit “3.” In summary, the Receiver proposes to pay all  
4 allowed administrative expense claims, including \$27,400.41 in post-receivership  
5 wage claims and all allowed unpaid fees and expenses of the Receiver and his  
6 professionals incurred since the last reporting period. The Receiver proposes to pay  
7 a total of \$437,246 to pay the previously allowed but unpaid professional fees plus  
8 the additional fees and costs that have been requested concurrently herewith, and  
9 the administrative expense claims. He also seeks permission to reserve \$9,500 to  
10 pay for the storage of records for 5 years and the destruction of the records. The  
11 additional fees and expenses of the Receiver and his professionals are subject to a  
12 separate Motion for Fees filed by the Receiver concurrently with this Motion.

13 There are not sufficient assets to satisfy even the Investor claims. The  
14 Receiver’s plan proposes a *pro rata* payment of the remaining receivership assets  
15 after payment of administrative expenses to the Investors. The claims of the taxing  
16 authorities and general unsecured claims, which are subordinate in priority as a  
17 result of the constructive trust ruling, would therefore receive no distribution from  
18 the estate.

19 The mechanics of the implementation of the proposed Final Distribution Plan  
20 as well as the legal authorities are set forth below.

21 **D. Receiver’s Proposed Closing of the Receivership and Related Relief**

22 The Receiver has filed a final consolidated tax return for the Receivership  
23 Entities based on the finding of a constructive trust, and will retain the records  
24 necessary to support those returns. Upon the completion of the Receiver’s  
25 distribution of estate assets under the approved Final Distribution Plan and other  
26 administrative duties necessary or appropriate to wind up the estate, the Receiver  
27 seeks an order formally discharging him as receiver. The Receiver will file a  
28 Declaration with the Court confirming that the administrative tasks are complete



1 and the estate is closed.

2 II. THE PROPOSED PLAN FOR FINAL DISTRIBUTION OF RECEIVERSHIP  
3 ESTATE ASSETS SHOULD BE APPROVED

4 A. Proposed Classes of Distribution

5 The Receiver is currently holding cash on hand of \$2,109,621.

6 **Class 1: Administrative Professional Fees**

7 There are actual and estimated remaining professional administrative  
8 expenses of the estate of \$437,245.79. As detailed in the Receiver Motion for Fees  
9 filed concurrently with this Motion, these sums include estimated fees and expenses  
10 of the Receiver and his professionals necessary to complete the administration of  
11 estate assets, distribute the remaining assets and close the estate.

12 The Receiver seeks approval of the amounts previously paid to his  
13 professionals as well as additional amounts set forth in the fee application filed  
14 concurrently herewith herein. The Receiver and his professionals had agreed to a  
15 20% holdback on their previously allowed fees. The holdback amounts and the  
16 concurrently requested amounts through the close of this case are as follows:

17 B. Previous Fee Award and Holdbacks

18 The Receiver has already paid Court-approved professional fees and costs in  
19 the total amount of \$381,929.49 as follows:

20 Professional	Fees Paid	Expenses Paid	Holdback
21 Receiver	\$ 67,693.60	\$1,434.99	\$17,275.00
22 Mosier & Company, Inc.	\$ 63,936.00		\$15,983.50
23 Diamond McCarthy LLP	\$ 82,434.00	\$9,507.10	\$20,608.40
24 HSNO	\$ 37,646.00		\$7,529.00
25 Thompson Coburn LLP	\$116,801.90	\$2,475.90	\$0
26 CliftonLarsenAllen LLP	\$ 3,352.50		\$0
27 Totals:	\$371,864.00	\$13,417.99	\$61,395.90



**C. Current Fee Request**

The accrued fees and costs of the professionals incurred during the reporting period of April 1, 2016, through the close of the case, which are the subject of a pending fee application, are as follows:

The requested compensation and reimbursement is summarized as follows:

<b>Professional</b>	<b>Fees Incurred</b>	<b>Costs</b>	<b>Total Requested</b>
Receiver	\$87,145.30	\$2,489.74	\$89,635.04
Reserve for records		\$9,500.00	\$9,500.00
Mosier & Company Inc.	\$141,357.50	\$0	\$141,357.50
Diamond McCarthy LLP	\$76,304.80	\$4,938.55	\$81,243.35
HSNO	\$7,060.00		\$7,060.00
LoBuglio & Sigman	\$46,654.00	\$400.00	\$47,054.00
<b>Total Requested</b>	<b>\$358,521.60</b>	<b>\$17,328.29</b>	<b>\$375,849.89</b>

Therefore, the total additional amounts to be paid to all professionals for fees, inclusive of prior holdbacks of \$61,395.00, is \$419,917.50 and reimbursement of costs of \$17,328.29.

**Class 2: Other Administrative Claims**

There is \$27,400.41 in outstanding wage claims as identified in Exhibit “3” attached hereto.

After payment of the Class 1 and Class 2 administrative claims, the Receiver estimates there will be approximately \$1,666,474 in assets of the receivership estate available for payment to investor claimants.

**Class 3: Tax Claims**

The Franchise Tax Board and the EDD have both agreed in writing to subordinate their pre-receivership Tax Claims to payment in full to the investors. The IRS provided verbal confirmation of subordination of its \$2,162.17 claim but has not provided a writing confirming the subordination.

1 The Receiver's proposed Final Distribution Plan is founded upon the Court's  
2 finding that the assets of the receivership estate are subject to a constructive trust in  
3 favor of the investor creditors and that after payment of allowed administrative  
4 expenses, the investor creditors are entitled to be paid their allowed claims before  
5 receivership assets are distributed to pay claims of taxing agencies or non-investor  
6 creditors. The taxing agencies have agreed. Accordingly, the Receiver does not  
7 intend to make payment on the Tax Claims. Any post-receivership tax liability that  
8 may be due in connection with the Receiver's final tax returns is not subject to this  
9 determination; however, the Receiver believes that no such tax liability is due in  
10 any event.

11 **Class 4: Investor Claims**

12 The Receiver has resolved all objections to the 94 claims of Investors that  
13 were timely submitted. Those claims are identified by last name of claimant or  
14 name of company and the allowed amount of the claim in Exhibit "3" attached  
15 hereto. The allowed Investor Claims total \$13,989,345.05. This figure reflects a  
16 reduction of over \$3.5 million from the initially filed claims in the amount of  
17 approximately \$17.6 million due to the work of the Receiver and his professionals  
18 in obtaining voluntary amendments of claims that were incorrectly filed and the  
19 objections to two claims which were filed and sustained by the Court.

20 The Receiver proposes to distribute the sum of \$1,649,975 to the Investor  
21 Claims on a *pro rata* basis pursuant to the schedule set forth in Exhibit "3."

22 Payment of the Investor Claims in a higher priority than other types of  
23 creditors is appropriate in an equitable proceeding of this nature.<sup>2</sup> Specifically, in  
24 equity receiverships, courts have approved distribution plans which give higher  
25 priority to defrauded investors than to general unsecured creditors.<sup>3</sup> In *CFTC v.*  
26

27 <sup>2</sup> See, e.g., *Norwest Bank Wisc., N.A. v. Malachi Corp.*, 245 Fed. App'x 488, 495  
(6th Cir. 2007)

28 <sup>3</sup> See, e.g., *CFTC v. Capital Street Financial, LLC*, 2010 U.S. Dist. LEXIS 75113, at  
(footnote continued...)

1 *Capital Street Financial, LLC*, the court approved differing treatment for investors  
2 as compared to general creditors as follows:

3 The Receivership Estate shall be distributed in the  
4 following order:

5 A. To claims for expenses of the administration of the  
6 Receivership Estate, including legal and accounting fees;  
7 expenses to preserve the value of assets; and costs of  
8 realization and payment of any taxes due on property or  
9 income of property of the Receivership Estate incurred  
10 during the pendency of the receivership (the  
11 “Administrative Claimants”);

12 B. To the return of investments to Investors; and

13 C. To any General Creditors, should any assets remain in  
14 the Receivership Estate.<sup>4</sup>

#### 15 **Class 5: Noninvestor Claims**

16 The claims of Noninvestors that were filed total \$21,869.10 and are identified  
17 in Exhibit “3” attached hereto. The Receiver proposes to pay the Noninvestor  
18 claims only following payment in full to the Investor Claims, which is unlikely.  
19 Accordingly, no payment would be made on the Noninvestor Claims at this time.

20 Courts in equity approve distribution plans that subordinate the Noninvestor  
21 Claims to the allowed investor claims.<sup>5</sup> As a matter of equity, courts have concluded

22 (continued)

23 \*4 (W.D.N.C. June 18, 2010); *see also SEC v. HKW Trading LLC*, 2009 U.S. Dist.  
24 LEXIS 77215 (M.D. Fla. Aug. 14, 2009) (“Payment to claimants whose property was  
25 unlawfully taken from them is given a higher priority than payment to the general  
26 creditors.”).

27 <sup>4</sup> *Capitalstreet Financial* at \*4.

28 <sup>5</sup> *See, e.g., Quilling v. Trade Partners*, U.S. Dist. LEXIS 101381 (W.D. Mich. Dec. 1,  
2006) (“In receivership proceedings arising out of securities fraud, the class of fraud  
victims takes priority over the class of general creditors with respect to proceeds  
traceable to the fraud.”); *see also SEC v. CapitalStreet*, 2010 U.S. Dist. LEXIS 75133  
(approving plan that return investments to Investors, then to general creditors should  
any assets remain in Receivership Estate); *SEC v. Harris*, 2016 U.S. Dist. LEXIS  
51708 (N.D. Tex. April 18, 2016) (approving modified plan to pay 3 classes:  
Qualified Professional Claims and Administrative Expenses; Defrauded Investors;  
and General Creditors Prior to Inception of the Receivership); *U.S. Commodity  
Futures Trading Comm’n v. PrivateFX Glob. One*, 778 F. Supp. 2d 775, 786 (S.D.  
Tex. 2011); *SEC v. HKW Trading LLC*, 2009 U.S. Dist. LEXIS 77215, 2009 WL  
2499146, at \*3 (M.D. Fla. Aug. 14, 2009) (citing Ralph Ewing Clark, *Treatise on the*

(footnote continued...)

1 that returning funds traceable to the fraud back to the defrauded victims first is a  
2 reasonable and equitable approach to distribution in a receivership case.

3 **Summary of Plan**

4 With estimated estate assets available for distribution to investors of  
5 \$1,649,975 and allowed investor claims of \$13,989,345.05, under the Receiver's  
6 proposed Final Distribution Plan, all remaining receivership assets would be  
7 distributed *pro rata* to investor claimants based on the proportion the specific  
8 investor's allowed claim represents of the total allowed investor claims of  
9 \$13,989,345.05. Attached hereto as Exhibit "3" is a summary of the investor  
10 claims, the pro rata percentage of each investor claim and the estimated distribution  
11 amount based on the Receiver's estimate of the net assets available for distribution  
12 on the investor claims. The Receiver estimates investors will receive a distribution  
13 of 11.8% of the amount of their allowed claims. Under the Final Distribution Plan,  
14 there would be no assets available for distribution to taxing agencies or non-  
15 investor creditors whose claims would be subordinate to the claims of investor  
16 creditors based on the constructive trust finding in favor of the investor claimants.

17 The Receiver requests leave to make this final distribution in the amounts  
18 specified on Exhibit "2" within 30 days of the date of the order approving the Final  
19 Distribution Plan. The Receiver will mail checks to each claimant holding an  
20 Allowed Claim by U.S. Mail. The Receiver proposes that all distribution checks be  
21 required to be negotiated within sixty (60) days of the date of issuance and that  
22 checks returned without a valid forwarding address or checks not negotiated before  
23 the end of the sixty-day period be deemed void. In the event there are checks not  
24 negotiated or deemed void, the Receiver requests the authority to turn over those  
25 and any other surplus funds to the California Department of Financial Services  
26 Bureau of Unclaimed Property.

27 \_\_\_\_\_  
(continued)

28 *Law and Practice of Receivers* (3d ed. 1959)).

**D. Applicable Law Supports the Court's Approval of the Receiver's Plan for Final Distribution of the Estate Assets as Reasonable and Appropriate Under the Circumstances**

The Court's power over an equity receivership and to determine appropriate procedures for administering a receivership is "extremely broad." *SEC v. Hardy*, 803 F.2d 1034, 1037 (9th Cir. 1986); *see SEC v. Basic Energy*, 273 F.3d 657, 668 (6th Cir. 2001); *SEC v. Elliott*, 953 F.2d 1560, 1566 (11th Cir. 1992). The primary purpose of an equity receivership is to promote the orderly and efficient administration of the estate for the benefit of the creditors. *See Hardy*, 803 F.2d at 1038. The relief requested by the Receiver best serves this purpose.

The Court has wide latitude when it exercises its inherent equitable power in approving a plan of distribution of receivership funds. *SEC v. Forex Asset Mgmt. LLC*, 242 F.3d 325, 331 (5th Cir. 2001) (affirming District Court's approval of plan of distribution because court used its discretion in "a logical way to divide the money"); *Quilling v. Trade Partners, Inc.*, 2007 WL 107669, \* 1 (W.D. Mich. 2007) ("In ruling on a plan of distribution, the standard is simply that the district court must use its discretion in a logical way to divide the money" (internal quotations omitted)). In approving a plan of distribution in a receivership, "the district court, acting as a court of equity, is afforded the discretion to determine the most equitable remedy." *Forex*, 242 F.3d at 332. The Court may adopt any plan of distribution that is logical, fair, and reasonable. *SEC v. Wang*, 944 F.2d 80, 83-84 (2d Cir. 1991); *Basic Energy*, 273 F.3d at 671; *Quilling*, 2007 WL 107669 at \*1.

The Receiver believes the proposed final distribution set forth above is logical, fair, and reasonable. The expenses of administration of the receivership incurred for the services of the Receiver and his professionals and those who provided goods, services, and use of property to the Receiver post-receivership as part of the administration of the estate are properly paid as a priority before distribution of the

1 receivership assets to creditors since the Receiver collected the assets of the  
2 receivership estate. *FTC v. Crittenden*, 823 F. Supp. 699, 704 (CD Cal. 1993).

3 Courts in equity approve distribution plans that subordinate the noninvestor  
4 claims to the allowed investor claims. As a matter of equity, courts have concluded  
5 that returning funds traceable to the fraud back to the defrauded victims first is a  
6 reasonable and equitable approach to distribution in a receivership case.  
7 Additionally, this Court's Order Granting Receiver's Motion for Order: (1)  
8 Establishing Constructive Trust; and (2) Approving Bar Date Notice for Taxing  
9 Agencies [Docket No. 164] approves of such a result.

10 **III. DESTRUCTION OF DOCUMENTS AND OTHER MISCELLANEOUS PROPERTY**

11 In connection with this Receivership, the Receiver accumulated more than 50  
12 boxes of documents and other materials, which are located in the Receiver's office  
13 and the offices of the professionals he has retained to assist him in this matter.  
14 Accordingly, the Receiver requests the authority to destroy, or otherwise dispose of,  
15 all documents and other items relating to the Receivership, in the Receiver's  
16 discretion and at such time as he deems proper if within thirty (30) days after written  
17 notice to the Commission, the Commission does not take custody of such records or  
18 items. The Receiver will hold all medical and tax records that he is required to retain  
19 for the requisite amount of time and then thereafter destroy them.

20 **IV. CLOSE RECEIVERSHIP AND DISCHARGE RECEIVER**

21 The Receiver has seized and liquidated all possible meaningful Receivership  
22 assets known to the Receiver. All litigation involving the Receiver has been resolved.  
23 There is litigation filed by a class of investors against third parties, but the Receiver  
24 is not a party to that litigation. There are no remaining unpaid or uncollected  
25 judgments. Further, with the payment of the accrued and final fees and costs of the  
26 Receivership and the final distribution to claimants as requested herein and in the  
27 Motion for Fees, all assets of the Receivership will be subject to disbursement. As  
28 such, the Receiver will have completed his responsibilities under the Orders



1 Appointing Receiver and respectfully requests that the Court enter an order, in  
2 substantially the form of the proposed order attached as Exhibit “3,” that closes the  
3 Receivership and discharges the Receiver without further order from this Court  
4 effective upon the Receiver filing a Closing Declaration in which he attests that he  
5 has completed the final distribution as specified herein, filed the final necessary tax  
6 returns, and paid the final fees and costs of the Receivership. The Receiver requests  
7 the Court's order discharge him and his agents, employees, members, officers,  
8 independent contractors, attorneys and representatives and relieve the Receiver, his  
9 agents, employees, members, officers, independent contractors, attorneys and  
10 representatives of all duties, liabilities, and responsibilities pertaining to this  
11 Receivership.

12 **V. NOTICE OF MOTION IS APPROPRIATE**

13 The Receiver has provided notice of this Motion pursuant to Local Rule 66-7 and  
14 requests an order finding that such notice is deemed sufficient if completed as  
15 described as follows: At least 40 days prior to the hearing on the Motion, the  
16 Receiver shall mail and/or email the form of Notice attached hereto as Exhibit “6” to  
17 all known claimants, including Investors, NonInvestors, taxing authorities and  
18 insiders. The Notice recites that the Receiver will post the Notice as well as the  
19 Motion on his website at [www.ReceivershipofSCI.com](http://www.ReceivershipofSCI.com). The Receiver shall post the  
20 Notice and the Motion on his website concurrently with the filing of the Notice and  
21 Motion.

22 The Receiver further requests that notice of any modifications to the Receiver's  
23 original Proposed Order is deemed sufficient and approved if a copy of the Court's  
24 Order on the Motion is posted on his website within fourteen (14) calendar days of  
25 being issued.

26 **VI. CONCLUSION**

27 The Receiver respectfully requests that the Court: (1) approve the Receiver's  
28 Final Report and Accounting; (2) approve the Receiver's Distribution Plan; (3)

1 authorize the sale and abandonment of property; (4) close the Receivership; (5)  
2 discharge the Receiver; and (6) authorize retention of certain records and the  
3 destruction of Receivership records and miscellaneous property. The Receiver  
4 requests all other appropriate relief.  
5

6 DATED: September 26 , 2017

DIAMOND McCARTHY LLP

7 By: /s/ Kathy Bazoian Phelps

8 Kathy Bazoian Phelps

9 Counsel for Robert P. Mosier

Permanent Receiver  
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**DECLARATION OF ROBERT P. MOSIER**

I, Robert P. Mosier, declare and affirm as follows:

1. I am the duly appointed Receiver in this matter and have first-hand knowledge about the following facts except where otherwise noted. If called upon to testify, I could do so competently.

2. I have reviewed and participated in the preparation of the Motion to: (1) Approve Final Report and Accounting; (2) Approve Final Distribution Plan; (3) Sell or Abandon Property; (4) Close the Receivership; (5) Discharge the Receiver; and (6) Authorize Destruction of Receivership Records and Miscellaneous Property (“Receivership Closing Motion”).

3. My Final Report and Accounting is attached hereto as Exhibit “1,” which describes my activities in this case and the financial reporting of my activities.

4. The Standardized Fund Accounting Report required by the SEC is attached hereto as Exhibit “2.”

5. My proposed Distribution Plan is attached hereto as Exhibit “3.” I believe that this plan is reasonable and achieves a fair and equitable result under the circumstances in this case. The Plan proposes to (a) pay all allowed administrative expenses and approved fees and expenses of my professionals as a first priority payment of assets from the estate; and (b) make a final distribution of all remaining assets of the Receivership estimated to be in the total amount of \$1,672,375.21 to the allowed administrative claims and claims of Investors based on the constructive trust imposed pursuant to prior order. Since Investors will not receive all of the amounts owed to them, there will be insufficient funds to pay any other classes of creditors. The taxing agencies have agreed to subordinate their claims to payment to Investors and accordingly will not be receiving any payment, nor will general unsecured creditors. This result is in line with the constructive trust finding that the Court previously made in this case, finding that the funds I am holding are held in constructive trust for the benefit of the investors.

1           6. I was made aware of certain notes receivable allegedly owed to SCI. I  
2 and my counsel made repeated demands and collection efforts but unfortunately, I  
3 have determined that any further costs of collection will not yield value for the  
4 estate. Accordingly, I seek to abandon the following notes receivable:

5 The Jara Group	\$100,000
6 DHL Shipping	\$85,000
7 Telos Breakthrough Principles	\$50,000
8 Telos Breakthrough Principles	\$20,000
9 Chinos Rock and Taco	\$33,000
10 Anthony Cole	\$85,000
11 Anthony Cole	\$50,000
12 Anthony Cole	\$35,000
13 Ethos Digital	\$100,000
14 Sergio Rodriguez	\$31,400
15 AMD Electric	\$30,000
16 Ruben Miranda/Kool Filtration)	\$25,000
17 The Hourglass Art & Wine Gallery	\$25,000
18 The Modern at White Rock Lake	\$15,585
19 Marvin Santamaria	\$10,000
20 Agapay Products Incorporated	\$5,000
21 Identity Design / U-Challenge	unknown

22           (collectively, the “Notes Receivable”).

23           7. I am advised that SCI owns a 22.36% interest in an entity known as  
24 Destiny with a Purpose. That entity is not believed to own any assets and the estate  
25 has not realized any value from the entity. Accordingly, I seek to abandon any  
26 interest in Destiny with a Purpose.

27           8. I am advised that the estate owns an interest in certain stock in  
28 Innovation Economy Corporation aka IE Crowd (“IEC”). Additionally, I located a  
promissory note dated November 3, 2011 in the amount of \$250,000 payable from  
IEC to SCI. Although I am advised that the company might go public and thereby

1 create value for the estate, I have learned that a public offering will not take place,  
2 that the stock is of minimal value, and that the note is not collectible. Accordingly, I  
3 seek to abandon any interest in IE Crowd.

4 9. I am advised that the estate holds an interest in 1.5 membership units  
5 in Landwin Partners Fund I, LLC ("Landwin"). I have received distributions from  
6 this interest in the total amount of \$28,650.36. I am advised that a further  
7 distribution may be imminent, but such a distribution is uncertain. I received an  
8 offer for the remaining interest in Landwin from an investor. I negotiated a price for  
9 the asset of \$8,000, which was subject to the right of first refusal required under the  
10 terms of the Operating Agreement of Landwin. I offered the right of first refusal to  
11 Landwin, who chose to exercise it. Landwin Fund member Martin H. Valdez  
12 offered \$8,000, and the Receiver entered into the Purchase and Sale Agreement  
13 attached hereto as Exhibit "4" which is subject to Court approval. I request Court  
14 approval of this sale at this time.

15 10. In connection with this Receivership, I have accumulated more than 50  
16 boxes of documents and other materials, which are located in my office and the  
17 offices of the professionals I have retained to assist me in this matter. Accordingly,  
18 I request the authority to destroy, or otherwise dispose of, all documents and other  
19 items relating to the Receivership, in my discretion and at such time as I deem  
20 proper if within thirty (30) days after written notice to the Commission, the  
21 Commission does not take custody of such records or items. I will hold all medical  
22 and tax records that I am required to retain for the requisite amount of time and then  
23 thereafter destroy them. I request that the total sum of \$9,500.00 be reserved to pay  
24 for the storage and destruction of these records.

25 11. I have seized and liquidated all possible meaningful Receivership assets  
26 known to me. There is no pending litigation involving the estate or estate assets.  
27 There is litigation filed by a class of investors against third parties, but I am not a  
28 party to that litigation. There are no remaining unpaid or uncollected judgments.

1 Further, with the payment of the accrued and final fees and costs of the Receivership  
2 and the final distribution to claimants as requested herein and in the Motion for Fees,  
3 all assets of the Receivership will be subject to disbursement. As such, I will have  
4 completed my responsibilities under the Orders Appointing Receiver and respectfully  
5 request that the Court enter an order, in substantially the form of the proposed order  
6 attached as Exhibit "5," that closes the Receivership and discharges me as the  
7 Receiver without further order from this Court effective upon my filing a Closing  
8 Declaration in which I attest that I have completed the final distribution as specified  
9 herein, filed the final necessary tax returns, and paid the final fees and costs of the  
10 Receivership. I request the Court's order discharge me and my agents, employees,  
11 members, officers, independent contractors, attorneys and representatives and relieve  
12 me, my agents, employees, members, officers, independent contractors, attorneys and  
13 representatives of all duties, liabilities, and responsibilities pertaining to this  
14 Receivership.

15 12. I will mail and/or email the form of Notice attached hereto as Exhibit "6"  
16 to all known claimants, including Investors, NonInvestors, taxing authorities and  
17 insiders. The Notice recites that the Receiver will post the Notice as well as the  
18 Motion on his website at [www.ReceivershipofSCI.com](http://www.ReceivershipofSCI.com). The Receiver shall post the  
19 Notice and the Motion on his website concurrently with the filing of the Notice and  
20 Motion.

21 I declare under penalty of perjury under the laws of the United States of  
22 America that the foregoing is true and correct to the best of my knowledge and  
23 belief. This declaration is executed on the 16 day of September 2017 in Costa  
24 Mesa, California.

25  
26 

27 Robert P. Mosier  
28 Federal Equity Receiver for Secured Capital  
Investments, LLC and its subsidiaries and  
affiliates

EXHIBIT 1

Robert P. Mosier  
Craig M. Collins, CPA  
Ryan Baker, Senior Financial Analyst  
MOSIER & COMPANY, INC.  
3151 Airway Avenue, Suite A-1  
Costa Mesa, California 92626  
Telephone: (714) 432-0800  
Facsimile: (714) 432-7329  
E-Mail: [Rmosier@Mosierco.com](mailto:Rmosier@Mosierco.com)

Court Appointed Receiver

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**vs.**

**PAUL MATA, DAVID KAYATTA,  
MARION PINCHEIRA, SECURED  
CAPITAL INVESTMENTS, LLC,  
LOGOS REAL ESTATE HOLDINGS,  
LLC, LOGOS WEALTH ADVISORS,  
INC., and LIFETIME ENTERPRISES,  
LLC (dba LOGOS LIFETIME  
UNIVERSITY),**

**Defendants.**

Case No: 5:15-cv-01792-VAP-KK  
Assigned for all purposes to the  
Honorable Virginia A. Philips

**PERMANENT RECEIVER'S FINAL  
ACCOUNT AND REPORT;  
DECLARATION OF RECEIVER, ROBERT  
P. MOSIER.**

Date: November 6, 2017  
Time: 2:00 PM  
Dept: 8A, 350 1<sup>st</sup> St., Los Angeles

Robert P. Mosier, duly appointed Permanent Receiver ("Receiver") for Secured Capital Investments, LLC and its affiliates/subsidiaries (collectively "SCI"), respectfully submits this Final Account and Report ("FAR") regarding the operational and financial aspects of SCI. The timeframe for this FAR is October 8, 2015 (date of appointment) through September 7, 2017 with exceptions noted where applicable.

**Limitation:** The case is roughly two years old. As such, most of the data has been reviewed and analyzed; all assets with meaningful value have been administered. All attempts are made to be as accurate as possible. While unlikely, the possibility still exists

that newly discovered data could conceivably change the conclusions of the report.

**Organization:** This FAR is organized as follows: (A) Summary of Assets Sold and Abandoned, (B) Accounting Update/Distribution Proposal and (C) Fees & Costs Summary.

**A. SUMMARY OF ASSETS SOLD AND ABANDONED**

1. **Sale of the Primary Properties:** The upper portion of Exhibit "A" (lines 1-9) is a summary of real properties sold pursuant to court order during the administration of the case. In total, eight properties were sold for a gross recovery of \$4,068,250. The largest of these was the Stor-All Storage facility in Tucson for \$1,200,000 and the smallest was a single-family residence in Owensboro, Kentucky for \$1,100. After paying mortgages, delinquent property taxes, and costs of sale, these eight sales netted the estate \$2,132,970.

2. **Sale of Other Assets:** The lower half of Exhibit "A" (lines 10 – 13) is a summary of other assets that were administered by the Receivership Estate. These other asset sales generated \$50,200. One additional asset remains unsold (line 14); the REIT for \$8,000 that is presented in the motion to approve this FAR for Court approval.

3. **Combined Property and Asset Sales:** Combined, the sale of real properties and assets generated a net total (excluding the sale of the REIT that has yet to occur) of \$2,183,170.

4. **Observation:** The recovery from the properties is minimal in the Receiver's experience due to at least three factors: (a) poor quality of the underlying properties/investments in most cases, (b) loans, and (c) geographic diversity – the properties were located from coast to coast making it a challenge to effectively manage.

5. **Properties and Assets Abandoned:** Exhibit "B" is a summary of assets for which there was no market or demand. Each asset was investigated and the comments regarding the lack of liquidity are presented in the right column. Many of these are loans

made to individuals who were void of traditional credit credentials. Others are just bad investments. In total, seventeen investments fit into this category.

**B. ACCOUNTING UPDATE/DISTRIBUTION PROPOSAL**

6. Receipts: Exhibit "C" presents a cash basis accounting for the duration of the case. The upper portion (line 1 – 15) recaps revenues generated from (a) turnover of funds from the initial receiver (\$189,450), (b) the sale of real properties (\$4,068,250) and (c) sale of personal property (\$50,200) and (d) cash generated by operating assets (\$370,368). These assets/investments generated a total of \$4,678,268 for the Receivership Estate.

7. Expenses: Exhibit "C," lines 16 through 48 shows expenditures from the estate. These include (a) costs related to the sale of the properties including mortgage payoffs (\$1,935,280), (b) costs to operate (and in certain instances close down) properties and store books/records (\$256,579), and (c) professional fees paid through March 2016 net of 20% hold back (\$376,789) for the permanent all professionals except the initial receiver. Total expenditures are \$2,568,647; today's cash balance is \$2,109,621 (line 49).

8. Unauthorized Withdrawals from Receivership Bank Accounts: A total of \$43,766.05 that was improperly withdrawn from Receivership bank accounts for three rent producing projects (two apartment buildings in Florida and a storage facility in Mississippi) was subsequently recovered, with no impact on recovery for investors/victims. The Receiver detected the unauthorized withdrawals by a former property manager and individuals who worked with the manager and then worked with the bank and others to recover funds.

9. Cash Pro Forma – Projected Net Available Distribution: Exhibit "D" are approximations of (a) the remaining amounts to be paid and (b) the net available for distribution to investors. Professional fees plus the holdbacks total \$437,246 plus there are \$22,400 of priority wages. This leaves cash of \$1,649,974; based on Investor claims of



1 \$13,989,345, the expected return is 11.80% or 11.85% if the REIT is sold. This is subject  
2 to change with Court approval. Exhibit "E" is an approximation of the net possible  
3 payment to each investor (also subject to change).

4 **C. FEES AND COSTS SUMMARY**

5 10. Receiver's Fees: Exhibit "F" is a summary of fees and costs for the Receiver  
6 and his staff for the duration of the Receivership estate. This includes prospective time to  
7 finish this FAR, respond to objections/comments, and make the final distribution. The  
8 Receiver's total fees and costs for the duration of the case (right at two years) are  
9 \$96,111.80. The final fees represent 2.4% of total anticipated disbursements in the case  
10 which is favorable compared to the Congressionally allowed fees for a Bankruptcy Trustee  
11 which could have been roughly 3.2% or \$130,176.  
12

13 11. Field Agent: The Receiver's field agent Jim LeSieur, a retired bank  
14 president, served as an on-site manager as well as analyzing the defunct asset/loan  
15 portfolio. The fees for the field agent were \$16,345.00; the hourly rate here is \$175.  
16

17 12. Bookkeeping Staff and Paralegal/Administration: The bookkeeping staff is  
18 responsible for banking activity including making all deposits, issuing checks including the  
19 final checks, and reconciling accounts. Nancy Michenaud is the chief bookkeeper, Aurora  
20 Bloom assists and Kristina Godinez is the principal paralegal and person overseeing  
21 administration. During the tenure of the case, two other individuals filled this role in earlier  
22 periods. The total fees and costs in this category are \$59,885.19 at a blended hourly rate  
23 of \$71.40.  
24

25 13. Administrative Costs: The administrative costs are presented on the last  
26 page of Exhibit E. These show the category of expenditures including postage, delivery  
27 and facsimile/Xerox. The total costs are \$13,608.50 of which \$9,500 is storage and the  
28

1 eventual destruction of the books and records including medical records related to the  
2 mental hospital located near Kansas City. These have to be stored for a statutory period.  
3 The unpaid balance of the administrative expenses is \$11,243.32.

4 ////

5 14. Total Fees and Costs for the Receiver and His Staff: The total for the  
6 Receiver and his staff plus costs is \$407,220.49. Of this total, \$273,225.71 remains unpaid  
7 including holdbacks. The blended hourly rate for the Receiver and his staff is \$173.

8 15. Budgeting, Accounting and Preliminary Analysis: Craig Collins, CPA and  
9 Ryan Baker, Senior Financial Analyst, make up this category. Their efforts provided a  
10 preliminary scan of the receipts and disbursements for the case in addition to preparing the  
11 financial documents for the Receivership Estate including forecasts. HSNO Forensic  
12 Accountants was selected for the reconstruction of the Defendants' accounts due to their  
13 cost effective expertise in this area. The combined fees for Messer's Collins and Baker for  
14 the two-year period are \$221,277.00 including projected fees to close.  
15

16 16. Counsel's Fees: Diamond McCarthy's fees and costs for the duration of the  
17 case are \$193,793. Of this, \$91,941 has been paid leaving a balance of \$101,852 in  
18 unpaid fees and costs.  
19

20 17. Tax Preparation: LoBuglio & Sigman prepared the tax returns for 3 years.  
21 The fees and costs to prepare these tax returns were \$47,054 all of which remains unpaid.

22 18. Forensic Accounting: As mentioned, HSNO was brought in to prepare a  
23 reconciliation of pre-Receiver receipts and disbursements for SCI. The fees and costs for  
24 HSNO were \$44,706 of which \$30,117 has been paid leaving an unpaid balance of \$14,589.  
25

26 19. Final Fee Application: A separate fee application and motion to approve final  
27 fees has been prepared and will be filed contemporaneously with the Motion to approve this  
28

FAR. Therefore, the above fees and costs remain subject to Court approval.

20. Totals: The total fees and costs for the professionals in this case were \$814,999 of which \$377,753 has been paid and the balance owing is \$437,246 (Exhibit "G").

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21. Conclusion: The fees and costs in this case are high relative to the gross value of the receipts. This reflects the geographic challenge, the poor quality of the assets, mortgages and seventeen abandoned assets. The percentage recovery at 11.9% is at the higher end of the expected range and consistent with the forecast of the Receiver early on in the case.

Date: September 22, 2017



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Robert P. Mosier, Receiver

**DECLARATION OF ROBERT P. MOSIER**

I, Robert P. Mosier, declare and affirm as follows: I am the duly appointed Receiver in this matter and have first-hand knowledge about the following facts except where otherwise noted. If called upon to testify, I could do so competently.

I have personally prepared this Final Account and Report. The description of the activities for the duration of the case and the Receivership assets is accurate to the best of my knowledge and belief at this time.

Exhibit "A," prepared by Craig Collins, a CPA who is assisting the Receiver in the case, is a list of real estate assets that were sold at auction in March 2016. Exhibit "B" was prepared by field agent Jim LeSieur and lists the assets that were abandoned. Exhibit "C" was prepared by Mr. Collins (with input from the bookkeeping staff) and is a reconciliation of cash receipts and disbursements from October 8, 2015 through August 20, 2017. Exhibit "D" also prepared by Mr. Collins is the cash flow projection expected after August 20, 2017 and reveals the likely distribution to the Investors/victims. Exhibit "E" is a projection of the final distribution to individual investors/victims (subject to change). Exhibit "F" is a summary of all fees and costs for the Receiver and the Receiver's staff for the duration of the case. The last page of Exhibit "G" is a summary of the professionals' fees and costs the majority of which remain subject to Court approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief. This declaration is executed on the 22nd day of September 2017 in Costa Mesa, CA.



Robert P. Mosier, Receiver

**SUMMARY OF EXHIBITS**

- Exhibit A: Proceeds from Sale of Real Properties
- Exhibit B: Summary of Assets and Properties Abandoned
- Exhibit C: Cash Receipts and Disbursements (10-8-15 through 8-20-17)
- Exhibit D: Projected Final Distributions and Amounts Available for Victims
- Exhibit E: Projected Final Distribution by Investor
- Exhibit F: Summary of Total Fees for the Receiver/Receiver's Staff
- Exhibit G: Summary of Professional Fees

## EXHIBIT "A"

5.

# SECURED CAPITAL INVESTMENTS, LLC

## PROCEEDS from SALES of REAL and PERSONAL PROPERTY

	REAL PROPERTY LOCATION	GROSS SALES PRICE	DISBURSEMENTS PAID through ESCROW										NET SALES PROCEEDS
			PAY-OFF MORTGAGE	REAL PROPERTY TAXES	OTHER TAXES	SALE COMMISS- SIONS	INTEREST	TRANZON SALE EXPENSES	PRO- RATED RENTS	ALL OTHER EXPENSES	TOTAL PAID-THRU ESCROW		
1	STOR-ALL STORAGE	\$1,200,000	\$502,210	\$130,924	\$0	\$48,000	\$29,219	\$10,736	\$13,897	\$1,095	\$736,081	\$463,919	
2	38th STREET APTS	1,107,700	500,000	36,272	0	83,103	32,118	16,622	2,046	2,708	672,869	434,831	
3	JUSTINA APTS	880,000	250,000	20,741	0	48,000	16,060	13,205	1,283	2,708	351,997	528,003	
4	HI-SECURITY STORAGE	781,000	0	51,720	0	56,800	0	11,720	3,124	250	123,614	657,386	
5	MEDICAL FACILITY	55,000	0	26,591	10,341	5,000	0	1,000	0	0	42,932	12,068	
6	SINGLE-FAMILY RES.	24,200	0	651	0	2,200	0	363	0	0	3,214	20,986	
7	APARTMENTS	19,250	0	2,606	0	1,400	0	380	0	0	4,386	14,864	
8	SINGLE-FAMILY RES.	1,100	0	87	0	100	0	0	0	0	187	913	
9	TOTAL REAL PROPERTY SALES	\$4,068,250	\$1,252,210	\$289,592	\$10,341	\$244,603	\$77,397	\$54,026	\$20,350	\$6,761	\$1,935,280	\$2,132,970	

### PERSONAL PROPERTY

### TAX LIENS

10	A VAN + OTHER WORLD GARDEN CAFÉ PERSONAL PROPERTY	\$39,750
11	FORFEITED REAL ESTATE DEPOSIT	9,450
12	TOTAL PERSONAL PROPERTY SALES	1,000
13		\$50,200

TOTAL NET SALE PROCEEDS from SALE of REAL and PERSONAL PROPERTY

\$2,183,170

### ESTIMATED PROCEEDS from FUTURE PERSONAL PROPERTY SALE

14 ESTD PROCEEDS from FUTURE SALE of LANDWIN REIT

\$8,000

## EXHIBIT “B”



# THE RECEIVERSHIP ESTATE OF SECURED CAPITAL INVESTMENTS, LLC

## LIST of ABANDONED INVESTMENTS and LOANS

BORROWER or INVESTMENT ENTITY	DESCRIPTION of the INVESTMENT	INTEREST RATE	DATE of INVESTMENT	AMOUNT INVESTED	REASON for ABANDONMENT of ASSET
THE JARA GROUP	250 SHARES of the BUSINESS	N/A	2/7/2008	\$100,000	THE BUSINESS IS NO LONGER OPEN
DHL SHIPPING FRANCHISE	30% of the BUSINESS	N/A	4/10/2008	\$85,000	THE BUSINESS SHUT DOWN AROUND 2010
TELOS BREAKTHROUGH PRINCIPLES	LOAN	10.00%	9/14/2007	\$50,000	THE BUSINESS WENT BANKRUPT IN 2009/2010. BOTH LOANS WERE "SECURED" BY MANAGER'S HOME BUT PAUL MATA NEVER RECORDED A LIEN ON THE PROPERTY
TELOS BREAKTHROUGH PRINCIPLES	LOAN	10.00%	9/27/2007	\$20,000	
CHINO'S ROCK and TACO	PURCHASE of FRANCHISE RIGHTS	N/A	1/13/2010	\$33,000	THE CHINO'S ROCK and TACO FRANCHISOR CLOSED ALL FOUR OF ITS FRANCHISES THEREBY MAKING THE COMPANY'S INVESTMENT VALUELESS.
ANTHONY COLE	LOAN	12.00%	10/16/2008	\$85,000	THE ARE NO SIGNED COPIES OF ANY OF THE THREE NOTES WHICH MAKES COLLECTION# ALMOST IMPOSSIBLE. BORROWER'S TELEPHONE IS NO LONGER IN SERVICE
ANTHONY COLE	LOAN	12.00%	10/16/2008	\$50,000	
ANTHONY COLE	LOAN	12.00%	12/4/2008	\$35,000	
ETHOS DIGITAL (ANTHONY COLE)	PURCHASE of 30% of the COMPANY	N/A	1/25/2008	\$100,000	FRANCHISE TAX BOARD SUSPENDED BUSINESS MANY YEARS AGO, TELEPHONE NUMBER NO LONGER IN SERVICE
SERGIO RODRIGUEZ	LOAN	12.00%	3/10/2010	\$31,400	UNABLE to CONTACT. OUT-OF-STATE LOCATION AND CROSS BORDER COLLECTION COLLECTION ATTEMPTS LIKELY TO BE VERY COSTLY
AMD ELECTRIC	LOAN	10.00%	3/18/2008	\$30,000	BUSINESS WAS CLOSED IN 2010
RUBEN MIRANDA	LOAN	15.00%	6/26/2008	\$25,000	BORROWER'S BUSINESS, KOOL FILTRATION, STILL EXISTS. BORROWER DOES NOT RETURN TELEPHONE CALLS.
THE HOURGLASS ART & WINE GALLERY	LOAN	10.00%	8/29/2013	\$25,000	BUSINESS WAS CLOSED IN 2014.
THE MODERN at WHITE ROCK LAKE	LOAN	12%-18%	5/25/2012	\$15,585	OUT-OF-STATE LOCATION AND CROSS BORDER COLLECTION COLLECTION ATTEMPTS LIKELY TO BE VERY COSTLY ON THIS LOW VALUE LOAN
MARVIN SANTAMARIA	LOAN	10.00%	5/27/2010	\$10,000	FORMER EMPLOYEE WHO WAS GIVEN LOAN by PAUL MATA. UNABLE TO CONTACT.
AGAPAY PRODUCTS INCORPORATED	LOAN	30.00%	12/2/2010	\$5,000	UNABLE to CONTACT. SMALL LOAN MAKES COLLECTION RECOVERY MINIMAL
IDENTITY DESIGN / U-CHALLENGE	UNKNOWN	UNKNOWN	UNKNOWN	UNKNOWN	IDENTITYDESIGN WENT UNDER and RENAISSANCE WAS GIVEN AN INTEREST IN U-CHALLENGE UNABLE TO CONTACT COMPANY PRINCIPAL
TOTAL KNOWN AMOUNT of ABANDONED INVESTMENTS and LOANS				\$698,985	

## EXHIBIT "C"

**THE RECEIVERSHIP ESTATE OF**  
**SECURED CAPITAL INVESTMENTS, LLC**  
**CASH RECEIPTS & DISBURSEMENTS from**  
**OCTOBER 8, 2015 through AUGUST 20, 2017**

1	TURN-OVER of FUNDS from the ORIGINAL RECEIVER		\$189,450
2	TOTAL GROSS SALES PRICE of ALL REAL ESTATE SOLD		4,068,250
3	NET SALES PROCEEDS from SALE of PERSONAL PROPERTY:		
4	NET TAX LIEN SALE PROCEEDS	\$39,750	
5	SALE of a VAN and OTHER PERSONAL PROPERTY	9,450	
6	FORFEITED REAL ESTATE SALE DEPOSIT	1,000	
7	TOTAL NET SALES PROCEEDS from SALE of PERSONAL PROPERTY		50,200
8	OPERATING CASH RECEIPTS:		
9	STORAGE REVENUES	208,778	
10	RENTAL REVENUES	71,347	
11	TAX LIEN PAYOFFS	37,890	
12	LANDWIN DISTRIBUTION	32,786	
13	INTEREST INCOME & DIVIDENDS	2,572	
14	OTHER CASH RECEIPTS	16,995	
15	TOTAL OPERATING CASH RECEIPTS		370,368
16	TOTAL CASH RECEIPTS		4,678,268
17	PROPERTY-RELATED DISBURSEMENTS:		
18	ITEMS PAID thru ESCROW:		
19	PAYOFF MORTGAGES	1,252,210	
20	PROPERTY TAXES	269,593	
21	OTHER TAXES	10,341	
22	SALES COMMISSIONS	244,603	
23	ACCRUED INTEREST	77,396	
24	TRANZON EXPENSES	54,026	
25	PRORATED RENTS	20,350	
26	OTHER ITEMS	6,761	
27	TOTAL of ITEMS PAID thru ESCROW	1,935,280	
28	PROPERTY COSTS:		
29	UTILITIES	\$70,812	
30	INSURANCE	51,932	
31	PAYROLL & PAYROLL TAXES	48,875	
32	MISSOURI PATIENT REFUNDS	23,236	
33	REPAIRS & MAINTENANCE	20,396	
34	MOVING & STORAGE	8,563	
35	TELEPHONE & INTERNET	4,999	
36	ALL OTHER CASH DISBURSEMENTS	27,765	
37	TOTAL OPERATING CASH DISBURSEMENTS	256,579	
38	TOTAL PROPERTY-RELATED DISBURSEMENTS		2,191,859
39	PROFESSIONAL FEES & COSTS:		
40	ROBERT P. MOSIER, PERMANENT RECEIVER	37,281	
41	FORENSIC ACCOUNTANTS	63,936	
42	RECEIVER'S AGENTS	30,413	
43	ADMINISTRATIVE COSTS	3,823	
44	TOTAL MOSIER & COMPANY, INC.	135,453	
45	THOMPSON COBURN LLP, TEMPORARY RECEIVER	119,278	
46	DIAMOND McCARTHY LLP	91,941	
47	HAGEN STREIFF, FORENSIC ACCOUNTANTS	30,117	
48	LoBUGLIO & SIGMAN, CPAs	0	
49	TOTAL OTHER PROFESSIONALS	241,336	
50	TOTAL PROFESSIONAL FEES & COSTS		376,789
51	TOTAL DISBURSEMENTS		2,568,647
52	TOTAL CASH CURRENTLY on HAND		\$2,109,621

## EXHIBIT “D”

**THE RECEIVERSHIP ESTATE of  
SECURED CAPITAL INVESTMENTS, LLC**  
**PROJECTED CASH RECEIPTS & DISBURSEMENTS**  
**from AUGUST 20, 2017 through END of the CASE**

1	CASH CURRENTLY on HAND				\$2,109,621
2	ESTIMATED FUTURE CASH DISBURSEMENTS to PRIORITY CLAIMANTS:				
3	<u>CLASS ONE CLAIMANTS</u>	TOTAL	1st APP		
4	PROFESSIONAL FEES & COSTS:	2nd APP	HOLDBACK		
5	DIAMOND McCARTHY LLP	\$81,243	\$20,608	\$101,852	
6	THE RECEIVER	99,135	17,275	116,410	
7	MOSIER & COMPANY, INC.	141,358	15,984	157,342	
8	LoBUGLIO & SIGMAN	47,054	0	47,054	
9	HSNO	7,060	7,529	14,589	
10	TOTAL PROFESSIONAL FEES	\$375,850	\$61,396	437,246	
11	<u>CLASS TWO CLAIMANTS</u> - OTHER ADMINISTRATIVE CLAIMS			22,400	
12	TOTAL				459,647
13	TOTAL CASH AVAILABLE for DISTRIBUTION to CLASS 4 CLAIMANTS	(A)			\$1,649,974
14	TOTAL APPROVED CLASS FOUR CLAIMS (INVESTORS)	(B)			\$13,989,345
15	PERCENT of APPROVED CLASS FOUR CLAIMS				11.795%
<hr/>					
16	TOTAL CASH AVAILABLE for DISTRIBUTION to CLASS 4 CLAIMANTS	(A)			\$1,649,974
17	ADD EXPECTED PROCEEDS from SALE of LANDWIN INTEREST				8,000
18	ESTIMATED CASH AVAILABLE for DISTRIBUTION after LANDWIN SALE				\$1,657,974
19	TOTAL APPROVED CLASS FOUR CLAIMS (INVESTORS)	(B)			\$13,989,345
20	PERCENT of APPROVED CLASS FOUR CLAIMS				11.852%

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## EXHIBIT “E”





# **RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS**

## **CLASS 3: TAX CLAIMS**

	<b>Taxing Authority</b>	<b>Claim Amount</b>	<b>Proposed Distribution Amount</b>
1	IRS	\$2,162.17	\$0.00
2	EDD	5,605.91	0.00
	FRANCHISE TAX BOARD RE:		
3	SECURED CAPITAL INVESTMENTS, LLC	1,290.31	0.00
4	RENAISSANCE MANAGEMENT, LLC	17,566.33	0.00
5	DESTINY WITH A PURPOSE, LLC	8,337.74	0.00
6	CHEF RAVI RECIPES, LLC	7,436.10	0.00
7	LOGOS REAL ESTATE HOLDINGS, LLC	3,802.87	0.00
8	WORLD GARDENS CAFÉ, LLC	3,728.87	0.00
9	LOGOS MANAGEMENT GROUP, LLC	2,658.87	0.00
10	LOGOS INSURANCE GROUP, LLC	2,298.86	0.00
11	INDESTRUCTIBLE PEAK MANAGEMENT, INC.	2,228.86	0.00
12	9327 FAIRWAY VIEW PLACE, LLC	2,170.66	0.00
13	LOGOS WEALTH ADVISORS, INC.	2,048.86	0.00
	<b>TOTAL TAX CLAIMS</b>	<b>\$61,336.41</b>	<b>\$0.00</b>

## **CLASS 4: INVESTOR CLAIMS**

	Claim #	Last Name	Claim		Proposed Distribution	
			Amount	% of Total	Amount	% of Claim
1	1	Akerboom	\$202,000.00	1.444%	\$23,824.91	11.795%
2	2	Alexander	194,000.00	1.387%	22,881.35	11.795%
3	3	Alfred	209,681.26	1.499%	24,730.88	11.795%
4	4	Allbritten (Galop)	129,766.81	0.928%	15,305.36	11.795%
5	5	Alvarez	40,000.00	0.286%	4,717.80	11.795%
6	7	Annunziato	10,000.00	0.071%	1,179.45	11.795%
7	9	Babb	100,000.00	0.715%	11,794.51	11.795%
8	10	Bartoo-Hernandez	31,710.55	0.227%	3,740.10	11.795%
9	11	Belk	75,000.00	0.536%	8,845.88	11.795%
10	12	Bennett	259,062.00	1.852%	30,555.10	11.795%
11	13	Burger	24,311.86	0.174%	2,867.46	11.795%
12	14	Burgoon	353,000.00	2.523%	41,634.62	11.795%
13	16	Carlsen	49,000.00	0.350%	5,779.31	11.795%
14	17	Carlson	300,000.00	2.144%	35,383.53	11.795%
15	18	Carroll	6,583.18	0.047%	776.45	11.795%
16	19	Carson	50,000.00	0.357%	5,897.26	11.795%
17	20	Cavallaro	128,854.16	0.921%	15,197.72	11.795%
18	21	Cefalia	1,500.00	0.011%	176.92	11.795%
19	22	Cintra Do Prado, A	255,860.00	1.829%	30,177.44	11.795%
20	23	Cintra Do Prado, T	Disallowed by Court			
21	24	Claiborne	398,000.00	2.845%	46,942.15	11.795%
22	25	Cook	188,000.00	1.344%	22,173.68	11.795%
23	26	Davenport	50,000.00	0.357%	5,897.26	11.795%
24	27	DeCarlo	79,606.63	0.569%	9,389.21	11.795%
25	28	Delgadillo	479,334.67	3.426%	56,535.18	11.795%

(Continued)

# **RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS**

## **CLASS 4: INVESTOR CLAIMS (CONTINUED)**

	Claim #	Last Name	Claim		Proposed Distribution	
			Amount	% of Total	Amount	% of Claim
26	30	Dienes	102,000.00	0.729%	12,030.40	11.795%
27	31	Dominick	408,675.00	2.921%	48,201.22	11.795%
28	32	Duffield	200,000.00	1.430%	23,589.02	11.795%
29	33	Esparza	75,656.00	0.541%	8,923.26	11.795%
30	34	Faubion	400.00	0.003%	47.18	11.795%
31	35	Fortin	98,533.59	0.704%	11,621.55	11.795%
32	36	Franchi	105,815.52	0.756%	12,480.42	11.795%
33	38	Gavigan	200,000.00	1.430%	23,589.02	11.795%
34	39	Gulizia	590,314.98	4.220%	69,624.76	11.795%
35	40	Gulizia-Knight	49,123.23	0.351%	5,793.84	11.795%
36	42	Hensley	118,380.00	0.846%	13,962.34	11.795%
37	43	Hernandez	215,761.84	1.542%	25,448.05	11.795%
38	43A	Hernandez	337,000.00	2.409%	39,747.50	11.795%
39	44	Huang	37,078.57	0.265%	4,373.24	11.795%
40	45	Jacobs	580,000.00	4.146%	68,408.16	11.795%
41	46	Jacobs	208,603.63	1.491%	24,603.78	11.795%
42	47	Kemp	7,634.00	0.055%	900.39	11.795%
43	47A	Kemp	20,000.00	0.143%	2,358.90	11.795%
44	48	Kirby	80,000.00	0.572%	9,435.61	11.795%
45	49	Klein	393,532.16	2.813%	46,415.19	11.795%
46	50	Krackow	172,452.53	1.233%	20,339.93	11.795%
47	51	Kunkle	85,000.00	0.608%	10,025.33	11.795%
48	52	Langley	59,700.00	0.427%	7,041.32	11.795%
49	53	Lee	315,769.99	2.257%	37,243.53	11.795%
50	54	Line	234,265.22	1.675%	27,630.44	11.795%
51	56	Macek	60,000.00	0.429%	7,076.71	11.795%
52	57	Marhefka	58,500.00	0.418%	6,899.79	11.795%
53	58	Mata	62,000.00	0.443%	7,312.60	11.795%
54	59	McBurney	144,992.86	1.036%	17,101.20	11.795%
55	61	Meyer	141,712.13	1.013%	16,714.25	11.795%
56	62	Munoz	225,000.00	1.608%	26,537.65	11.795%
57	63	Nadler	124,386.07	0.889%	14,670.73	11.795%
58	64	Nicholson	101,909.50	0.728%	12,019.73	11.795%
59	65	Nunez	50,000.00	0.357%	5,897.26	11.795%
60	66	Page	12,928.52	0.092%	1,524.86	11.795%
61	67	Polite	98,383.29	0.703%	11,603.83	11.795%
62	68	Quiroz	50,000.00	0.357%	5,897.26	11.795%
63	69	Richards	111,035.80	0.794%	13,096.13	11.795%
64	70	Saracho	44,637.08	0.319%	5,264.73	11.795%
65	70A	Barker-Signor	13,963.76	0.100%	1,646.96	11.795%
66	70B	Saracho	215,339.96	1.539%	25,398.29	11.795%
67	71	Searfoss	25,000.00	0.179%	2,948.63	11.795%
68	72	Shenton	3,960.00	0.028%	467.06	11.795%
69	73	Sherman	242,500.00	1.733%	28,601.69	11.795%
70	75	Starr	75,000.00	0.536%	8,845.88	11.795%
71	76	Sweeney	30,000.00	0.214%	3,538.35	11.795%
72	76A	Sweeney	71,000.00	0.508%	8,374.10	11.795%
73	76B	Sweeney	105,000.00	0.751%	12,384.24	11.795%

(Continued)

# **RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS**

## **CLASS 4: INVESTOR CLAIMS (CONTINUED)**

	Claim #	Last Name	Claim		Proposed Distribution	
			Amount	% of Total	Amount	% of Claim
74	77	Tejas	783,177.45	5.598%	92,371.95	11.795%
75	78	Thompson	50,000.00	0.357%	5,897.26	11.795%
76	80	Valadez	550,000.00	3.932%	64,869.81	11.795%
77	82	Vaughn	240,000.00	1.716%	28,306.83	11.795%
78	83	Wagner	108,000.00	0.772%	12,738.07	11.795%
79	83A	Wandel	300,000.00	2.144%	35,383.53	11.795%
80	85	Ware	136,000.00	0.972%	16,040.53	11.795%
81	87	Wong	50,000.00	0.357%	5,897.26	11.795%
82	88	Workman	190,000.00	1.358%	22,409.57	11.795%
83	89	Young	300,000.00	2.144%	35,383.53	11.795%
84	90	Zbinden	229,110.00	1.638%	27,022.40	11.795%
85	91	Zuniga	30,000.00	0.214%	3,538.35	11.795%
86	93	Carrillo	46,861.38	0.335%	5,527.07	11.795%
87	94	Delgadillo	61,333.33	0.438%	7,233.97	11.795%
88	95	Galop	0.00	0.000%	0.00	0.000%
89	97	Haver-Habib	240,000.00	1.716%	28,306.83	11.795%
90	98	Krausman	50,500.00	0.361%	5,956.23	11.795%
91	100	Adad	92,000.00	0.658%	10,850.95	11.795%
92	101	Chan	72,778.04	0.520%	8,583.81	11.795%
93	102	Clymer	0.00	0.000%	0.00	0.000%
94	136	Jackson-Gewirtz	54,000.00	0.386%	6,369.04	11.795%
95	N/N	Suber	27,368.50	0.196%	3,227.98	11.795%
TOTAL ALLOWED INVESTOR CLAIMS			\$13,989,345.05	100.000%	\$1,649,974.80	11.795%

## **CLASS 5: NON-INVESTOR CLAIMS**

	Claim #	Vender	Claim Amount	Proposed Distribution Amount
1	203	Platte County Public Adminstrator (for RCF)	\$4,840.72	\$0.00
2	205	Billy Jack May	570.00	0.00
3	206	Access Done Easy LLC	1,091.83	0.00
4	207	EVCO Wholesale Food Corp.	7,351.15	0.00
5	208	Armine Pogosyan	500.00	0.00
6	209	Vend Lease Company, Inc.	1,761.65	0.00
7	211	Precision Air Conditioning & Mechanical	250.38	0.00
8	212	Gym Management Services	600.00	0.00
9	213	City of Excelsior Springs, Missouri	1,370.73	0.00
10	215	Kevin Fry	818.90	0.00
11	216	Sysco	2,396.15	0.00
12		Ron Young	317.59	0.00
TOTAL GENERAL UNSECURED CLAIMS			\$21,869.10	\$0.00

## EXHIBIT “F”

**RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS, LLC****SUMMARY of the RECEIVER and HIS AGENTS' FEES & COSTS  
FOR THE PERIOD from OCTOBER 2015 through AUGUST 2017 TO CLOSE****CUMULATIVE SUMMARY of ALL  
FEES and COSTS**

	HOURS	HOURLY RATE	TOTAL FEES	COSTS	TOTAL FEES and COSTS	PAYMENTS MADE	AMOUNT OWING
RECEIVER ROBERT P. MOSIER	290.10	\$330.23	\$95,799.60	\$312.20	\$96,111.80	\$37,280.56	\$58,831.24
FIELD AGENTS	93.40	\$175.00	16,345.00	0.00	16,345.00	11,130.00	5,215.00
TOTAL PROFESSIONALS	383.50	\$292.42	112,144.60	312.20	112,456.80	48,410.56	64,046.24
BOOKKEEPING & PARALEGAL	835.00	\$71.40	59,617.40	267.79	59,885.19	19,283.04	40,602.15
TOTAL FEES	1,218.50	\$140.96	171,762.00	579.99	172,341.99	67,693.60	104,648.39
ADMINISTRATIVE COSTS				13,608.50	13,608.50	2,365.18	11,243.32
TOTAL FEES & COSTS	1,218.50	\$140.96	\$171,762.00	\$14,188.49	\$185,950.49	\$70,058.78	\$115,891.71

0.00 (0.00) (0.00)

**RECEIVER:**

ROBERT P. MOSIER

	HOURS	HOURLY RATE	TOTAL FEES	DIRECT COSTS	TOTAL FEES and COSTS	PAYMENTS MADE	AMOUNT OWING
OCTOBER 2015	48.70	\$301.17	\$14,667.20	\$312.20	\$14,979.40	\$11,733.80	\$3,245.60
NOVEMBER 2015	28.80	\$318.92	9,184.80	0.00	9,184.80	7,347.88	\$1,836.92
DECEMBER 2015	22.20	\$356.00	7,903.20	0.00	7,903.20	6,322.60	1,580.60
JANUARY 2016	24.90	\$270.22	6,728.40	0.00	6,728.40	5,382.76	1,345.64
FEBRUARY 2016	12.10	\$356.00	4,307.60	0.00	4,307.60	3,446.12	861.48
MARCH 2016	10.70	\$356.00	3,809.20	0.00	3,809.20	3,047.40	761.80
APRIL 2016	16.70	\$302.71	5,055.20	0.00	5,055.20	0.00	5,055.20
MAY 2016	14.50	\$306.90	4,450.00	0.00	4,450.00	0.00	4,450.00
JUNE 2016	8.10	\$356.00	2,883.60	0.00	2,883.60	0.00	2,883.60
JULY 2016	3.50	\$356.00	1,246.00	0.00	1,246.00	0.00	1,246.00
AUGUST 2016	16.70	\$356.00	5,945.20	0.00	5,945.20	0.00	5,945.20
SEPTEMBER 2016	5.60	\$356.00	1,993.60	0.00	1,993.60	0.00	1,993.60
OCTOBER 2016	6.70	\$356.00	2,385.20	0.00	2,385.20	0.00	2,385.20
NOVEMBER 2016	6.50	\$356.00	2,314.00	0.00	2,314.00	0.00	2,314.00
DECEMBER 2016	13.20	\$356.00	4,699.20	0.00	4,699.20	0.00	4,699.20
JANUARY 2017	2.90	\$356.00	1,032.40	0.00	1,032.40	0.00	1,032.40
FEBRUARY 2017	5.80	\$356.00	2,064.80	0.00	2,064.80	0.00	2,064.80
MARCH 2017	9.30	\$356.00	3,310.80	0.00	3,310.80	0.00	3,310.80
APRIL 2017	2.30	\$356.00	818.80	0.00	818.80	0.00	818.80
MAY 2017	4.60	\$356.00	1,637.60	0.00	1,637.60	0.00	1,637.60
JUNE 2017	4.40	\$356.00	1,566.40	0.00	1,566.40	0.00	1,566.40
JULY 2017	3.80	\$356.00	1,352.80	0.00	1,352.80	0.00	1,352.80
AUGUST 2017 TO CLOSE	18.10	\$356.00	6,443.60	0.00	6,443.60	0.00	6,443.60
RECEIVER'S FEES	290.10	\$330.23	\$95,799.60	\$312.20	\$96,111.80	\$37,280.56	\$58,831.24

**FIELD AGENT:**

JIM LESIEUR

	HOURS	HOURLY RATE	TOTAL FEES	DIRECT COSTS	TOTAL FEES and COSTS	PAYMENTS MADE	AMOUNT OWING
OCTOBER 2015	3.50	\$175.00	\$612.50	\$0.00	\$612.50	\$490.00	\$122.50
NOVEMBER 2015	25.60	\$175.00	4,480.00	0.00	4,480.00	3,584.00	896.00
DECEMBER 2015	18.00	\$175.00	3,150.00	0.00	3,150.00	2,520.00	630.00
JANUARY 2016	16.60	\$175.00	2,905.00	0.00	2,905.00	2,324.00	581.00
FEBRUARY 2016	7.10	\$175.00	1,242.50	0.00	1,242.50	994.00	248.50
MARCH 2016	8.70	\$175.00	1,522.50	0.00	1,522.50	1,218.00	304.50
APRIL 2016	0.40	\$175.00	70.00	0.00	70.00	0.00	70.00
MAY 2016	0.60	\$175.00	105.00	0.00	105.00	0.00	105.00
JUNE 2016	1.40	\$175.00	245.00	0.00	245.00	0.00	245.00
AUGUST 2016	1.50	\$175.00	262.50	0.00	262.50	0.00	262.50
SEPTEMBER 2016	2.20	\$175.00	385.00	0.00	385.00	0.00	385.00
OCTOBER 2016	1.00	\$175.00	175.00	0.00	175.00	0.00	175.00
DECEMBER 2016	1.60	\$175.00	280.00	0.00	280.00	0.00	280.00
FEBRUARY 2017	0.50	\$175.00	87.50	0.00	87.50	0.00	87.50
MARCH 2017	0.70	\$175.00	122.50	0.00	122.50	0.00	122.50
AUGUST 2017 TO CLOSE	4.00	\$175.00	700.00	0.00	700.00	0.00	700.00
FIELD AGENT	93.40	\$175.00	\$16,345.00	\$0.00	\$16,345.00	\$11,130.00	\$5,215.00

**RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS, LLC****SUMMARY of the RECEIVER and HIS AGENTS' FEES & COSTS  
FOR THE PERIOD from OCTOBER 2015 through AUGUST 2017 TO CLOSE****BOOKKEEPING & PARALEGAL:****NANCY E. MICHENAUD (NOTE)**

		HOURS	HOURLY RATE	TOTAL FEES	DIRECT COSTS	TOTAL FEES and COSTS	PAYMENTS MADE	AMOUNT OWING
OCTOBER	2015	36.30	\$95.00	\$3,448.50	\$5.18	\$3,453.68	\$2,758.80	\$694.88
NOVEMBER	2015	33.60	\$95.00	3,192.00	0.00	3,192.00	2,553.60	638.40
DECEMBER	2015	40.90	\$95.00	3,885.50	0.00	3,885.50	3,108.40	777.10
JANUARY	2016	23.00	\$95.00	2,185.00	0.00	2,185.00	1,748.00	437.00
FEBRUARY	2016	21.90	\$95.00	2,080.50	0.00	2,080.50	1,664.40	416.10
MARCH	2016	30.40	\$95.00	2,888.00	0.00	2,888.00	2,310.40	577.60
APRIL	2016	27.90	\$95.00	2,650.50	0.00	2,650.50	0.00	2,650.50
MAY	2016	37.60	\$95.00	3,572.00	0.00	3,572.00	0.00	3,572.00
JUNE	2016	26.80	\$95.00	2,546.00	5.13	2,551.13	0.00	2,551.13
JULY	2016	20.20	\$95.00	1,919.00	0.00	1,919.00	0.00	1,919.00
AUGUST	2016	8.90	\$95.00	845.50	0.00	845.50	0.00	845.50
SEPTEMBER	2016	6.20	\$95.00	589.00	0.00	589.00	0.00	589.00
OCTOBER	2016	8.70	\$95.00	826.50	0.00	826.50	0.00	826.50
NOVEMBER	2016	3.10	\$95.00	294.50	0.00	294.50	0.00	294.50
DECEMBER	2016	5.80	\$95.00	551.00	0.00	551.00	0.00	551.00
JANUARY	2017	4.60	\$95.00	437.00	0.00	437.00	0.00	437.00
FEBRUARY	2017	2.60	\$95.00	247.00	0.00	247.00	0.00	247.00
MARCH	2017	11.60	\$95.00	1,102.00	0.00	1,102.00	0.00	1,102.00
APRIL	2017	4.60	\$95.00	437.00	0.00	437.00	0.00	437.00
MAY	2017	3.80	\$95.00	361.00	0.00	361.00	0.00	361.00
JUNE	2017	3.00	\$95.00	285.00	0.00	285.00	0.00	285.00
JULY	2017	0.30	\$95.00	28.50	0.00	28.50	0.00	28.50
AUGUST 2017 TO CLOSE		45.10	\$95.00	4,284.50	0.00	4,284.50	0.00	4,284.50

**TOTAL MICHENAUD**

406.90	\$95.00	38,655.50	10.31	38,665.81	14,143.60	24,522.21
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**AURORA BLOOM (NOTE)**

OCTOBER	2015	26.80	\$50.00	1,340.00	27.48	1,367.48	1,072.00	295.48
NOVEMBER	2015	20.80	\$50.00	1,040.00	50.00	1,090.00	832.00	258.00
DECEMBER	2015	26.10	\$50.00	1,305.00	0.00	1,305.00	1,044.00	261.00
JANUARY	2016	17.10	\$50.00	855.00	0.00	855.00	684.00	171.00
FEBRUARY	2016	18.70	\$50.00	935.00	0.00	935.00	748.00	187.00
MARCH	2016	15.50	\$50.00	775.00	10.00	785.00	620.00	165.00
APRIL	2016	17.80	\$50.00	890.00	20.00	910.00	0.00	910.00
MAY	2016	22.60	\$50.00	1,130.00	50.00	1,180.00	0.00	1,180.00
JUNE	2016	28.90	\$50.00	1,445.00	0.00	1,445.00	0.00	1,445.00
JULY	2016	26.20	\$50.00	1,310.00	0.00	1,310.00	0.00	1,310.00
AUGUST	2016	17.40	\$50.00	870.00	0.00	870.00	0.00	870.00
SEPTEMBER	2016	9.60	\$50.00	480.00	0.00	480.00	0.00	480.00
OCTOBER	2016	8.00	\$50.00	400.00	10.00	410.00	0.00	410.00
NOVEMBER	2016	17.30	\$50.00	865.00	0.00	865.00	0.00	865.00
DECEMBER	2016	8.80	\$50.00	440.00	10.00	450.00	0.00	450.00
JANUARY	2017	17.50	\$50.00	875.00	40.00	915.00	0.00	915.00
FEBRUARY	2017	11.80	\$50.00	590.00	20.00	610.00	0.00	610.00
MARCH	2017	17.30	\$50.00	865.00	0.00	865.00	0.00	865.00
APRIL	2017	6.00	\$50.00	300.00	0.00	300.00	0.00	300.00
MAY	2017	5.60	\$50.00	280.00	0.00	280.00	0.00	280.00
JUNE	2017	7.90	\$50.00	395.00	0.00	395.00	0.00	395.00
JULY	2017	6.30	\$50.00	315.00	0.00	315.00	0.00	315.00
AUGUST 2017 TO CLOSE		49.80	\$50.00	2,490.00	20.00	2,510.00	0.00	2,510.00

**TOTAL BLOOM**

403.80	\$50.00	20,190.00	257.48	20,447.48	5,000.00	15,447.48
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**RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS, LLC****SUMMARY of the RECEIVER and HIS AGENTS' FEES & COSTS  
FOR THE PERIOD from OCTOBER 2015 through AUGUST 2017 TO CLOSE****BOOKKEEPING & PARALEGAL (Continued):**

		HOURS	HOURLY RATE	TOTAL FEES	DIRECT COSTS	TOTAL FEES and COSTS	PAYMENTS MADE	AMOUNT OWING
KRISTINA GODINEZ								
	AUGUST 2017 TO CLOSE	12.90	\$34.00	438.60	0.00	438.60	0.00	438.60
	TOTAL GODINEZ	12.90	\$34.00	438.60	0.00	438.60	0.00	438.60
KAYLYN KELLY								
	OCTOBER 2015	3.80	\$27.00	102.60	0.00	102.60	82.08	20.52
	NOVEMBER 2015	1.10	\$27.00	29.70	0.00	29.70	23.76	5.94
	FEBRUARY 2016	1.20	\$35.00	42.00	0.00	42.00	33.60	8.40
	TOTAL KELLY	6.10	\$28.57	174.30	0.00	174.30	139.44	34.86
KASSANDRA MENDEZ								
	MAY 2016	1.20	\$30.00	36.00	0.00	36.00	0.00	36.00
	AUGUST 2016	4.10	\$30.00	123.00	0.00	123.00	0.00	123.00
	TOTAL MENDEZ	5.30	\$30.00	159.00	0.00	159.00	0.00	159.00
BOOKKEEPING/PARALEGAL		835.00	\$71.40	\$59,617.40	\$267.79	\$59,885.19	\$19,283.04	\$40,602.15

(NOTE): RATES ON THE ACTUAL TIME SLIPS INDICATE THE NORMAL BILLING RATE BEFORE THE DISCOUNT

**RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS, LLC****SUMMARY of the RECEIVER and HIS AGENTS' FEES & COSTS  
FOR THE PERIOD from OCTOBER 2015 through AUGUST 2017 TO CLOSE**

		FUTURE RECORD STORAGE	TELE- PHONE	POSTAGE & FORMS	FACSIMILE & XEROX	DELIVERY, FEDEX, etc	TOTAL ADM COSTS	PAYMENTS MADE	AMOUNT OWING
<b>ADMINISTRATIVE COSTS:</b>									
OCTOBER	2015	\$0.00	\$2.04	\$212.51	\$519.80	\$77.50	\$811.85	\$811.85	\$0.00
NOVEMBER	2015	0.00	1.68	19.18	148.90	0.00	169.76	169.76	0.00
DECEMBER	2015	0.00	7.31	45.03	237.20	99.78	389.32	389.32	0.00
JANUARY	2016	0.00	1.96	18.10	38.20	62.07	120.33	120.33	0.00
FEBRUARY	2016	0.00	0.00	20.72	45.30	60.33	126.35	126.35	0.00
MARCH	2016	0.00	0.00	14.06	25.50	129.72	169.28	169.28	0.00
APRIL	2016	0.00	0.00	20.02	66.90	39.12	126.04	39.12	86.92
MAY	2016	0.00	1.18	10.25	76.20	212.22	299.85	212.22	87.63
JUNE	2016	0.00	0.00	22.10	59.10	112.58	193.78	112.58	81.20
JULY	2016	0.00	0.51	7.00	39.50	25.84	72.85	25.84	47.01
AUGUST	2016	0.00	0.00	90.98	321.10	0.00	412.08	0.00	412.08
SEPTEMBER	2016	0.00	0.00	3.74	16.90	0.00	20.64	0.00	20.64
OCTOBER	2016	0.00	0.00	4.20	5.10	69.83	79.13	69.83	9.30
NOVEMBER	2016	0.00	0.00	9.19	27.60	0.00	36.79	0.00	36.79
DECEMBER	2016	0.00	0.00	0.93	20.90	0.00	21.83	0.00	21.83
JANUARY	2017	0.00	0.00	47.00	20.10	22.84	89.94	22.84	67.10
FEBRUARY	2017	0.00	0.00	0.00	19.40	0.00	19.40	0.00	19.40
MARCH	2017	0.00	0.00	2.08	81.50	25.62	109.20	25.62	83.58
APRIL	2017	0.00	0.00	2.33	40.60	70.24	113.17	70.24	42.93
MAY	2017	0.00	0.00	0.00	10.60	0.00	10.60	0.00	10.60
JUNE	2017	0.00	0.00	88.75	8.20	0.00	96.95	0.00	96.95
JULY	2017	0.00	0.00	0.00	9.40	0.00	9.40	0.00	9.40
TOTAL to JULY 31, 2017		0.00	14.68	638.17	1,838.00	1,007.69	3,498.54	2,365.18	1,133.36
AUGUST 2017 TO CLOSE		9,500.00	0.00	361.56	248.40	0.00	10,109.96	0.00	10,109.96
<b>TOTAL ADMIN COSTS</b>		<b>\$9,500.00</b>	<b>\$14.68</b>	<b>\$999.73</b>	<b>\$2,086.40</b>	<b>\$1,007.69</b>	<b>\$13,608.50</b>	<b>\$2,365.18</b>	<b>\$11,243.32</b>



## EXHIBIT “G”

## THE RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS, LLC FINAL FEES & COSTS

	FIRST APPLICATION			TOTAL SECOND APPL.	TOTAL FIRST + SECOND APPL 's
	PAID	HELDBACK	TOTAL		
<u>PROFESSIONAL FEES &amp; COSTS:</u>					
1 DIAMOND McCARTHY LLP	\$91,941	\$20,608	\$112,550	\$81,243	\$193,793
2 THOMPSON COBURN LLP	119,278	0	119,278	0	119,278
3 CLIFTONLARSENALLEN LLP	3,353	0	3,353	0	3,353
4 THE RECEIVER	69,129	17,275	86,404	99,135	185,539
5 MOSIER & COMPANY, INC.	63,936	15,984	79,920	141,358	221,277
6 LoBUGLIO & SIGMAN	0	0	0	47,054	47,054
7 HSNO	30,117	7,529	37,646	7,060	44,706
8 TOTAL PROFESSIONAL FEES	\$377,753	\$61,396	\$439,149	\$375,850	\$814,999
	(A)			(B)	

9 TOTAL AMOUNT REQUESTED in the FINAL ACCOUNT & REPORT (A + B) =

\$437,246

EXHIBIT 2

**STANDARDIZED FUND ACCOUNTING REPORT (CASH BASIS) for**  
**SECURED CAPITAL INVESTMENTS, LLC**  
**RECEIVERSHIP; CIVIL COURT DOCKET NO. 5:15-cv-01792-VAP-KK**  
**REPORTING PERIOD from APRIL 1, 2016 through AUGUST 20, 2017**

FUND ACCOUNTING (See Instructions):				
	SCHEDULE	DETAIL	SUBTOTAL	GRAND TOTAL
Line 1		Beginning Balance of the Fund as of April 1, 2016		\$573,219
		<i>Increases in Fund Balances:</i>		
Line 2	Schedule 1	Business Income (Receipts)		180,508
Line 3		Cash and Securities		0
Line 4	Schedule 1	Interest / Dividend Income		514
Line 5	Schedule 1	Business Asset Liquidation		1,782,800
Line 6		Personal Asset Liquidation		0
Line 7		Third-Party Litigation		0
Line 8	Schedule 1	Miscellaneous - Other		44,176
		<b>Total Funds Available (Lines 1-8)</b>		<b>2,581,217</b>
		<i>Decreases in Fund Balance:</i>		
Line 9		Disbursements to Investors		0
Line 10		Disbursements for Receivership Operations		
Line 10a	Schedule 2	Disbursements to Receiver or Other Professionals	\$284,848	
Line 10b	Schedule 3	Business Asset Expenses	94,805	
Line 10c		Personal Asset Liquidation	0	
Line 10d		Investment Expenses	0	
Line 10e		Third-Party Litigation Expenses		
		1. Attorney Fees	\$91,941	
		2. Litigation Expenses	0	
		<b>Total Third-Party Litigation Expenses</b>	<b>91,941</b>	
Line 10f	Schedule 2	Tax Administrator Fees and Bonds	0	
Line 10g		Federal and State Tax Payments	0	
		<b>Total Disbursements for Receivership Operations</b>		<b>471,594</b>
Line 11		Disbursements for Distribution Expenses Paid by the Fund:		
Line 11a		Distribution Plan Development Expenses:		
		1. Fees:		
		Fund Administrator	0	
		Independent Distribution Consultant (IDC)	0	
		Distribution Agent	0	
		Consultants	0	
		Legal Advisors	0	
		Tax Advisors	0	
		2. Administrative Expenses	0	
		3. Miscellaneous	0	
		<b>Total Plan Development Expenses</b>	<b>0</b>	
Line 11b		Distribution Plan Implementation Expenses:		
		1. Fees:		
		Fund Administrator	0	
		Independent Distribution Consultant (IDC)	0	
		Distribution Agent	0	
		Consultants (Forensic Accountants)	0	
		Legal Advisors	0	
		Tax Advisors	0	
		2. Administrative Expenses	0	
		3. Investor Identification:		
		Notice/Publishing Approved Plan	0	
		Claimant Identification	0	
		Claims Processing	0	
		Web Site Maintenance / Call Center	0	
		4. Fund Administrator Bond	0	
		5. Miscellaneous	0	
		6. Fair Account for Investor Restitution	0	
		(FAIR) Reporting Expenses	0	
		<b>Total Plan Implementation Expenses</b>	<b>0</b>	
		<b>Total Disbursements for Distribution Expenses Paid by the Fund</b>		<b>0</b>
Line 12		Disbursements to Court / Other:		
Line 12a		Investment Expenses / Court Registry Investment System (DRIS) Fees	0	
Line 12b		Federal Tax Payments	0	
		<b>Total Disbursements to Court / Other</b>		<b>0</b>
		<b>Total Funds Disbursed (Lines 9-12)</b>		<b>471,594</b>
Line 13		Ending Balance of the Fund as of August 20, 2017		\$2,109,623

**STANDARDIZED FUND ACCOUNTING REPORT (CASH BASIS) for**  
**SECURED CAPITAL INVESTMENTS, LLC**  
**RECEIVERSHIP; CIVIL COURT DOCKET NO. 5:15-cv-01792-VAP-KK**  
**REPORTING PERIOD from APRIL 1, 2016 through AUGUST 20, 2017**

<b>Line 14</b>	<b>Ending Balance of Fund - Net Assets:</b>				
Line 14a	Cash & Cash Equivalents	Schedule 4			\$2,109,623
Line 14b	Investments				0
Line 14c	Other Assets or Uncleared Funds				0
	<b>Total Ending Balance of Fund - Net Assets</b>				<b>\$2,109,623</b>

**OTHER SUPPLEMENTAL INFORMATION:**

		DETAIL	SUBTOTAL	GRAND TOTAL
<b>Report of Items NOT to be Paid by the Fund:</b>				
<b>Line 15</b>	<b>Disbursements for Plan Administration Expenses Not Paid by the Fund:</b>			
Line 15a	Plan Development Expenses Not Paid by the Fund			
	1. Fees:			
	Fund Administrator		\$0	
	Independent Distribution Consultant (IDC)		0	
	Distribution Agent		0	
	Consultants		0	
	Legal Advisors		0	
	Tax Advisors		0	
	2. Administrative Expenses		0	
	3. Miscellaneous		0	
	<b>Total Plan Development Expenses Not Paid by the Fund</b>			<b>\$0</b>
Line 15b	Plan Implementation Expenses Not Paid by the Fund			
	1. Fees:			
	Fund Administrator		0	
	Independent Distribution Consultant (IDC)		0	
	Distribution Agent		0	
	Consultants		0	
	Legal Advisors		0	
	Tax Advisors		0	
	2. Administrative Expenses		0	
	3. Investor Identification:			
	Notice/Publishing Approved Plan		0	
	Claimant Identification		0	
	Claims Processing		0	
	Web Site Maintenance / Call Center		0	
	4. Fund Administrator Bond		0	
	5. Miscellaneous		0	
	6. FAIR Reporting Expenses		0	
	<b>Total Plan Implementation Expenses Not Paid by the Fund</b>			<b>0</b>
Line 15c	Tax Administrator Fees & Bonds Not Paid by the Fund			<b>0</b>
	<b>Total Disbursements for Plan Administration Expenses Not Paid by the Fund</b>			<b>\$0</b>
<b>Line 16</b>	<b>Disbursements to Court / Other Not Paid by the Fund:</b>			
Line 16a	Investment Expenses / CRIS Fees		\$0	
Line 16b	Federal Tax Payments		0	
	<b>Total Disbursements to Court / Other Not Paid by the Fund:</b>			<b>\$0</b>
<b>Line 17</b>	<b>DC &amp; State Tax Payments</b>			<b>\$0</b>
<b>Line 18</b>	<b>Number of Claims:</b>			
Line 18a	Number of Claims Received This Reporting Period .....			<b>0</b>
Line 18b	Number of Claims Received Since Inception of Fund .....			<b>91</b>
<b>Line 19</b>	<b>Number of Claimants / Investors:</b>			
Line 18a	Number of Claimants / Investors Paid This Reporting Period .....			<b>0</b>
Line 18b	Number of Claimants / Investors Paid Since Inception of Fund .....			<b>0</b>

Receiver:

By:

(signature)

Robert P. Mosier

(printed name)

Date:

9-6-17

Exhibit 2, Page 055

**SECURED CAPITAL INVESTMENTS, LLC**

## SCHEDULE 1

LINE 2	BUSINESS INCOME:	RENT REVENUE from STORAGE UNITS	\$68,478																																																																																																																																																										
		RENT REVENUE from APARTMENTS	45,119																																																																																																																																																										
		TOTAL RENT REVENUE	113,597																																																																																																																																																										
		TAX LIEN PAYOFFS	34,125																																																																																																																																																										
		REAL ESTATE INVESTMENT TRUST INCOME	32,786																																																																																																																																																										
		TOTAL BUSINESS INCOME	\$180,508																																																																																																																																																										
LINE 4	INTEREST / DIVIDEND INCOME:	RECEIPTS of INTEREST & DIVIDENDS	\$514																																																																																																																																																										
LINE 5	BUSINESS ASSET LIQUIDATION:																																																																																																																																																												
		<table><tr><td></td><td>LESS</td><td>MORTGAGE</td><td>SALES</td><td></td><td></td><td></td></tr><tr><td></td><td>DEPOSITS</td><td>PAID-OFF</td><td>COMMISS-</td><td>REAL and</td><td>ALL</td><td>NET</td></tr><tr><td></td><td>PREVIOUSLY</td><td>INCLUDING</td><td>IONS and</td><td>OTHER</td><td>OTHER</td><td>REAL</td></tr><tr><td></td><td>RECEIVED</td><td>ACCRUED</td><td>AUCTION</td><td>PROPERTY</td><td>ESCROW</td><td>ESTATE</td></tr><tr><td></td><td></td><td>INTEREST</td><td>EXPENSES</td><td>TAXES</td><td>COSTS</td><td>INCOME</td></tr><tr><td>REAL ESTATE SALES:</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>STOR-ALL, TUCSON, AZ</td><td>\$1,200,000</td><td>\$120,000</td><td>\$531,429</td><td>\$58,736</td><td>\$130,924</td><td>\$14,992</td><td>\$343,919</td></tr><tr><td>38th STREET APTS, JACKSONVILLE, FL</td><td>1,107,700</td><td>110,770</td><td>532,118</td><td>99,725</td><td>36,272</td><td>4,754</td><td>324,061</td></tr><tr><td>JUSTINA COURT, JACKSONVILLE, FL</td><td>880,000</td><td>88,000</td><td>266,060</td><td>61,205</td><td>20,741</td><td>3,991</td><td>440,003</td></tr><tr><td>HI-SECURITY, RICHLAND, MS</td><td>781,000</td><td>78,100</td><td>0</td><td>68,520</td><td>51,720</td><td>3,374</td><td>579,286</td></tr><tr><td>MEDICAL FAC, EXCELSIOR SPRS, MO</td><td>55,000</td><td>0</td><td>0</td><td>6,000</td><td>36,932</td><td>0</td><td>12,068</td></tr><tr><td>SINGLE FAM RES, PADUCAH, KY</td><td>24,200</td><td>2,500</td><td>0</td><td>2,563</td><td>651</td><td>0</td><td>18,486</td></tr><tr><td>APARTMENTS, EXCELSIOR SPRS, MO</td><td>19,250</td><td>0</td><td>0</td><td>1,780</td><td>2,606</td><td>0</td><td>14,864</td></tr><tr><td>SINGLE FAM RES, OWENSBORO, KY</td><td>1,100</td><td>0</td><td>0</td><td>100</td><td>87</td><td>0</td><td>913</td></tr><tr><td>REAL ESTATE SALES THIS PERIOD</td><td>\$4,068,250</td><td>\$399,370</td><td>\$1,329,607</td><td>\$298,629</td><td>\$279,933</td><td>\$27,111</td><td>1,733,600</td></tr><tr><td>PERSONAL PROPERTY SALES:</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>PROPERTY TAX LIENS (NET)</td><td></td><td>\$39,750</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>VEHICLE &amp; OTHER</td><td></td><td>9,450</td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>TOTAL PERSONAL PROPERTY SALES</td><td></td><td></td><td></td><td>49,200</td></tr><tr><td></td><td>TOTAL BUSINESS ASSET LIQUIDATION</td><td></td><td></td><td></td><td></td><td></td><td>\$1,782,800</td></tr></table>		LESS	MORTGAGE	SALES					DEPOSITS	PAID-OFF	COMMISS-	REAL and	ALL	NET		PREVIOUSLY	INCLUDING	IONS and	OTHER	OTHER	REAL		RECEIVED	ACCRUED	AUCTION	PROPERTY	ESCROW	ESTATE			INTEREST	EXPENSES	TAXES	COSTS	INCOME	REAL ESTATE SALES:							STOR-ALL, TUCSON, AZ	\$1,200,000	\$120,000	\$531,429	\$58,736	\$130,924	\$14,992	\$343,919	38th STREET APTS, JACKSONVILLE, FL	1,107,700	110,770	532,118	99,725	36,272	4,754	324,061	JUSTINA COURT, JACKSONVILLE, FL	880,000	88,000	266,060	61,205	20,741	3,991	440,003	HI-SECURITY, RICHLAND, MS	781,000	78,100	0	68,520	51,720	3,374	579,286	MEDICAL FAC, EXCELSIOR SPRS, MO	55,000	0	0	6,000	36,932	0	12,068	SINGLE FAM RES, PADUCAH, KY	24,200	2,500	0	2,563	651	0	18,486	APARTMENTS, EXCELSIOR SPRS, MO	19,250	0	0	1,780	2,606	0	14,864	SINGLE FAM RES, OWENSBORO, KY	1,100	0	0	100	87	0	913	REAL ESTATE SALES THIS PERIOD	\$4,068,250	\$399,370	\$1,329,607	\$298,629	\$279,933	\$27,111	1,733,600	PERSONAL PROPERTY SALES:											PROPERTY TAX LIENS (NET)		\$39,750						VEHICLE & OTHER		9,450						TOTAL PERSONAL PROPERTY SALES				49,200		TOTAL BUSINESS ASSET LIQUIDATION						\$1,782,800	
	LESS	MORTGAGE	SALES																																																																																																																																																										
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			TOTAL PERSONAL PROPERTY SALES				49,200																																																																																																																																																						
	TOTAL BUSINESS ASSET LIQUIDATION						\$1,782,800																																																																																																																																																						
LINE 8	MISCELLANEOUS - OTHER:	TURNOVER of FUNDS from TEMPORARY RECEIVER	\$29,040																																																																																																																																																										
		OTHER RECEIPTS	15,136																																																																																																																																																										
		TOTAL MISCELLANEOUS - OTHER RECEIPTS	\$44,176																																																																																																																																																										

## SCHEDULE 2

LINE 10a	DISBURSEMENTS to RECEIVER or OTHER PROFESSIONALS:		
	RECEIVERS:	PERMANENT RECEIVER, ROBERT P. MOSIER and ACCOUNTANT & STAFF	\$135,453
		TEMPORARY RECEIVER, CLAIRE SCHENK and ACCOUNTANT & STAFF	119,278
	TOTAL RECEIVERS		254,731
	FORENSIC ACCOUNTANTS:	HAGEN STREIFF et al	30,117
	TOTAL DISBURSEMENTS to RECEIVER or OTHER PROFESSIONALS		\$284,848
LINE 10e	THIRD-PARTY LITIGATION EXPENSES:		
	1. ATTORNEY FEES	DIAMOND McCARTHY LLP	\$91,941
LINE 10f	TAX ADMINISTRATOR FEE and BONDS		
	INCOME TAX PREPARER:	LoBUGLIO & SIGMAN, CPA's	\$0

Exhibit 2 Page 056

**STANDARDIZED FUND ACCOUNTING REPORT (CASH BASIS) for**  
**SECURED CAPITAL INVESTMENTS, LLC**  
**RECEIVERSHIP; CIVIL COURT DOCKET NO. 5:15-cv-01792-VAP-KK**  
**REPORTING PERIOD from APRIL 1, 2016 through AUGUST 20, 2017**  
**(CONTINUED)**

**SCHEDULE 3**

LINE 10b BUSINESS ASSET EXPENSES:	UTILITIES	\$45,298
	REPAIRS & MAINTENANCE	14,418
	PAYROLL & PAYROLL TAXES	14,124
	INSURANCE	10,428
	MOVING & STORAGE	6,114
	TELEPHONE & INTERNET	1,597
	ALL OTHER DISBURSEMENTS	2,826
	<b>TOTAL BUSINESS ASSET EXPENSES</b>	<b>\$94,805</b>

**SCHEDULE 4**

LINE 14a CASH & CASH EQUIVALENTS:

NAME of BANK	ACCT #	NAME of OWNING ENTITY and ACCOUNT DESCRIPTION		BALANCE
EAST WEST BANK	3886	SECURED CAPITAL INVESTMENTS	GENERAL	\$150,633
EAST WEST BANK	4607	SECURED CAPITAL INVESTMENTS	REAL ESTATE	21,044
EAST WEST BANK	3935	HI SECURITY STORAGE	GENERAL	60,791
EAST WEST BANK	3942	HI SECURITY UHAUL	UHAUL	(186)
REGIONS BANK	7200	HI SECURITY STORAGE	GENERAL	17,914
EAST WEST BANK	4593	HI SECURITY STORAGE	REAL ESTATE	282,386
EAST WEST BANK	3872	JUSTINA COURT APARTMENTS	GENERAL #1	8,535
REGIONS BANK	1308	JUSTINA COURT APARTMENTS	GENERAL #2	338
EAST WEST BANK	4600	JUSTINA COURT APARTMENTS	REAL ESTATE	528,002
BANK OF MIDWEST	4705	SUPERIOR APARTMENTS	GENERAL	7,832
EAST WEST BANK	4614	SUPERIOR APARTMENTS	REAL ESTATE	14,864
EAST WEST BANK	3914	SUPERIOR PARK RCF	GENERAL #1	11,460
BANK OF MIDWEST	5041	SUPERIOR PARK RCF	GENERAL #2	2,859
BANK OF MIDWEST	4908	SUPERIOR PARK RCF	REAL ESTATE	10,928
EAST WEST BANK	3830	STOR-ALL DISC STORAGE	GENERAL	44,945
EAST WEST BANK	4579	STOR-ALL DISC STORAGE	REAL ESTATE	463,920
EAST WEST BANK	3879	38th STREET APARTMENTS	GENERAL #1	43,531
REGIONS BANK	0999	38th STREET APARTMENTS	GENERAL #2	2,452
EAST WEST BANK	4586	38th STREET APARTMENTS	REAL ESTATE	437,373
<b>TOTAL CASH &amp; CASH EQUIVALENTS:</b>				<b>\$2,109,623</b>

EXHIBIT 3



# RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS

## SUMMARY of PAYMENTS to be MADE to CLASSES of ALLOWED CLAIMS:

TOTAL CASH AVAILABLE for ALL ALLOWED CLAIMS

**\$2,109,621.00**

### PROPOSED DISTRIBUTIONS by CLASS of CLAIM:

	Amount of Claims	Amount to be Paid	% of Claims
CLASS 1 (ADMINISTRATIVE PROFESSIONAL FEES)	\$437,245.79	\$437,245.79	100.000%
CLASS 2 (OTHER ADMINISTRATIVE CLAIMS)	22,400.41	22,400.41	100.000%
CLASS 3 (TAX CLAIMS)	61,336.41	0.00	0.000%
CLASS 4 (INVESTOR CLAIMS)	13,989,345.05	1,649,974.80	11.795%
CLASS 5 (NONINVESTOR CLAIMS)	21,869.10	0.00	0.000%
TOTAL PROPOSED DISTRIBUTIONS	<b>\$14,532,196.76</b>	<b>\$2,109,621.00</b>	

## CLASS 1: ADMINISTRATIVE PROFESSIONAL FEES

	Fees Paid	Expenses Paid	Holdback	Proposed Distribution Amount
<b>a. Previous Fee Award and Holdbacks</b>				
Receiver	\$67,693.60	\$1,434.99	\$17,275.00	\$17,275.00
Mosier & Company, Inc.	63,936.00	0.00	15,983.50	15,983.50
Diamond McCarthy LLP	82,434.00	9,507.10	20,608.40	20,608.40
HSNO	30,117.00	0.00	7,529.00	7,529.00
Total Previous Fee Awards & Holdbacks	\$244,180.60	\$10,942.09	\$61,395.90	
<b>b. Current Fee Request</b>				
Receiver	\$87,145.30	\$11,989.74	\$99,135.04	99,135.04
Mosier & Company, Inc.	141,357.50	0.00	141,357.50	141,357.50
Diamond McCarthy LLP	76,304.80	4,938.55	81,243.35	81,243.35
HSNO	7,060.00	0.00	7,060.00	7,060.00
LoBuglio & Sigman	46,654.00	400.00	47,054.00	47,054.00
Total Current Fee Request	\$358,521.60	\$17,328.29	\$375,849.89	
<b>c. Total Holdbacks plus Current Fee Request</b>				<b>\$437,245.79</b>

## CLASS 2: OTHER ADMINISTRATIVE CLAIMS

Claim #	Employee	Claim Amount	Proposed Distribution Amount
	Missouri RCF Payroll	\$16,500.00	\$16,500.00
1	214 Nagham Dahi	1,080.00	1,080.00
2	217 Jacinto Rodriguez	1,861.96	1,861.96
3	217 Jacinto Rodriguez	1,124.63	1,124.63
4	218 Jarrod Zozaya	905.28	905.28
5	218 Jarrod Zozaya	768.54	768.54
6	218 Jarrod Zozaya	70.00	70.00
7	219 Mary Young	90.00	90.00
	TOTAL WAGE CLAIMS	<b>\$22,400.41</b>	<b>\$22,400.41</b>

# RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS

### **CLASS 3: TAX CLAIMS**

	<b>Taxing Authority</b>	<b>Claim Amount</b>	<b>Proposed Distribution Amount</b>
1	IRS	\$2,162.17	\$0.00
2	EDD	5,605.91	0.00
	FRANCHISE TAX BOARD RE:		
3	SECURED CAPITAL INVESTMENTS, LLC	1,290.31	0.00
4	RENAISSANCE MANAGEMENT, LLC	17,566.33	0.00
5	DESTINY WITH A PURPOSE, LLC	8,337.74	0.00
6	CHEF RAVI RECIPES, LLC	7,436.10	0.00
7	LOGOS REAL ESTATE HOLDINGS, LLC	3,802.87	0.00
8	WORLD GARDENS CAFÉ, LLC	3,728.87	0.00
9	LOGOS MANAGEMENT GROUP, LLC	2,658.87	0.00
10	LOGOS INSURANCE GROUP, LLC	2,298.86	0.00
11	INDESTRUCTIBLE PEAK MANAGEMENT, INC.	2,228.86	0.00
12	9327 FAIRWAY VIEW PLACE, LLC	2,170.66	0.00
13	LOGOS WEALTH ADVISORS, INC.	2,048.86	0.00
	<b>TOTAL TAX CLAIMS</b>	<b>\$61,336.41</b>	<b>\$0.00</b>

### **CLASS 4: INVESTOR CLAIMS**

	<b>Claim #</b>	<b>Last Name</b>	<b>Claim</b>		<b>Proposed Distribution</b>	
			<b>Amount</b>	<b>% of Total</b>	<b>Amount</b>	<b>% of Claim</b>
1	1	Akerboom	\$202,000.00	1.444%	\$23,824.91	11.795%
2	2	Alexander	194,000.00	1.387%	22,881.35	11.795%
3	3	Alfred	209,681.26	1.499%	24,730.88	11.795%
4	4	Allbritten (Galop)	129,766.81	0.928%	15,305.36	11.795%
5	5	Alvarez	40,000.00	0.286%	4,717.80	11.795%
6	7	Annunziato	10,000.00	0.071%	1,179.45	11.795%
7	9	Babb	100,000.00	0.715%	11,794.51	11.795%
8	10	Bartoo-Hernandez	31,710.55	0.227%	3,740.10	11.795%
9	11	Belk	75,000.00	0.536%	8,845.88	11.795%
10	12	Bennett	259,062.00	1.852%	30,555.10	11.795%
11	13	Burger	24,311.86	0.174%	2,867.46	11.795%
12	14	Burgoon	353,000.00	2.523%	41,634.62	11.795%
13	16	Carlsen	49,000.00	0.350%	5,779.31	11.795%
14	17	Carlson	300,000.00	2.144%	35,383.53	11.795%
15	18	Carroll	6,583.18	0.047%	776.45	11.795%
16	19	Carson	50,000.00	0.357%	5,897.26	11.795%
17	20	Cavallaro	128,854.16	0.921%	15,197.72	11.795%
18	21	Cefalia	1,500.00	0.011%	176.92	11.795%
19	22	Cintra Do Prado, A	255,860.00	1.829%	30,177.44	11.795%
20	23	Cintra Do Prado, T	Disallowed by Court			
21	24	Claiborne	398,000.00	2.845%	46,942.15	11.795%
22	25	Cook	188,000.00	1.344%	22,173.68	11.795%
23	26	Davenport	50,000.00	0.357%	5,897.26	11.795%
24	27	DeCarlo	79,606.63	0.569%	9,389.21	11.795%
25	28	Delgadillo	479,334.67	3.426%	56,535.18	11.795%

(Continued)

## **RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS**

### **CLASS 4: INVESTOR CLAIMS (CONTINUED)**

	<b>Claim #</b>	<b>Last Name</b>	<b>Claim</b>		<b>Proposed Distribution</b>	
			<b>Amount</b>	<b>% of Total</b>	<b>Amount</b>	<b>% of Claim</b>
26	30	Dienes	102,000.00	0.729%	12,030.40	11.795%
27	31	Dominick	408,675.00	2.921%	48,281.22	11.795%

28	32	Duffield	200,000.00	1.430%	23,589.02	11.795%
29	33	Esparza	75,656.00	0.541%	8,923.26	11.795%
30	34	Faubion	400.00	0.003%	47.18	11.795%
31	35	Fortin	98,533.59	0.704%	11,621.55	11.795%
32	36	Franchi	105,815.52	0.756%	12,480.42	11.795%
33	38	Gavigan	200,000.00	1.430%	23,589.02	11.795%
34	39	Gulizia	590,314.98	4.220%	69,624.76	11.795%
35	40	Gulizia-Knight	49,123.23	0.351%	5,793.84	11.795%
36	42	Hensley	118,380.00	0.846%	13,962.34	11.795%
37	43	Hernandez	215,761.84	1.542%	25,448.05	11.795%
38	43A	Hernandez	337,000.00	2.409%	39,747.50	11.795%
39	44	Huang	37,078.57	0.265%	4,373.24	11.795%
40	45	Jacobs	580,000.00	4.146%	68,408.16	11.795%
41	46	Jacobs	208,603.63	1.491%	24,603.78	11.795%
42	47	Kemp	7,634.00	0.055%	900.39	11.795%
43	47A	Kemp	20,000.00	0.143%	2,358.90	11.795%
44	48	Kirby	80,000.00	0.572%	9,435.61	11.795%
45	49	Klein	393,532.16	2.813%	46,415.19	11.795%
46	50	Krackow	172,452.53	1.233%	20,339.93	11.795%
47	51	Kunkle	85,000.00	0.608%	10,025.33	11.795%
48	52	Langley	59,700.00	0.427%	7,041.32	11.795%
49	53	Lee	315,769.99	2.257%	37,243.53	11.795%
50	54	Line	234,265.22	1.675%	27,630.44	11.795%
51	56	Macek	60,000.00	0.429%	7,076.71	11.795%
52	57	Marhefka	58,500.00	0.418%	6,899.79	11.795%
53	58	Mata	62,000.00	0.443%	7,312.60	11.795%
54	59	McBurney	144,992.86	1.036%	17,101.20	11.795%
55	61	Meyer	141,712.13	1.013%	16,714.25	11.795%
56	62	Munoz	225,000.00	1.608%	26,537.65	11.795%
57	63	Nadler	124,386.07	0.889%	14,670.73	11.795%
58	64	Nicholson	101,909.50	0.728%	12,019.73	11.795%
59	65	Nunez	50,000.00	0.357%	5,897.26	11.795%
60	66	Page	12,928.52	0.092%	1,524.86	11.795%
61	67	Polite	98,383.29	0.703%	11,603.83	11.795%
62	68	Quiroz	50,000.00	0.357%	5,897.26	11.795%
63	69	Richards	111,035.80	0.794%	13,096.13	11.795%
64	70	Saracho	44,637.08	0.319%	5,264.73	11.795%
65	70A	Barker-Signor	13,963.76	0.100%	1,646.96	11.795%
66	70B	Saracho	215,339.96	1.539%	25,398.29	11.795%
67	71	Searfoss	25,000.00	0.179%	2,948.63	11.795%
68	72	Shenton	3,960.00	0.028%	467.06	11.795%
69	73	Sherman	242,500.00	1.733%	28,601.69	11.795%
70	75	Starr	75,000.00	0.536%	8,845.88	11.795%
71	76	Sweeney	30,000.00	0.214%	3,538.35	11.795%
72	76A	Sweeney	71,000.00	0.508%	8,374.10	11.795%
73	76B	Sweeney	105,000.00	0.751%	12,384.24	11.795%

(Continued)

## RECEIVERSHIP ESTATE of SECURED CAPITAL INVESTMENTS LIST of CLAIMS & PROPOSED DISTRIBUTIONS

### CLASS 4: INVESTOR CLAIMS (CONTINUED)

	Claim #	Last Name	Claim		Proposed Distribution	
			Amount	% of Total	Amount	% of Claim
74	77	Tejas	783,177.45	5.598%	92,371.95	11.795%
75	78	Thompson	50,000.00	0.357%	5,897.26	11.795%
76	80	Valadez	550,000.00	3.932%	64,869.81	11.795%
77	82	Vaughn	240,000.00	1.716%	28,306.83	11.795%
78	83	Wagner	108,000.00	0.772%	12,738.07	11.795%
79	83A	Wandel	300,000.00	2.144%	35,383.53	11.795%
80	85	Ware	136,000.00	0.972%	16,040.53	11.795%
81	87	Wong	50,000.00	0.357%	5,897.26	11.795%

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82	88	Workman	190,000.00	1.358%	22,409.57	11.795%
83	89	Young	300,000.00	2.144%	35,383.53	11.795%
84	90	Zbinden	229,110.00	1.638%	27,022.40	11.795%
85	91	Zuniga	30,000.00	0.214%	3,538.35	11.795%
86	93	Carrillo	46,861.38	0.335%	5,527.07	11.795%
87	94	Delgadillo	61,333.33	0.438%	7,233.97	11.795%
88	95	Galop	0.00	0.000%	0.00	0.000%
89	97	Haver-Habib	240,000.00	1.716%	28,306.83	11.795%
90	98	Krausman	50,500.00	0.361%	5,956.23	11.795%
91	100	Adad	92,000.00	0.658%	10,850.95	11.795%
92	101	Chan	72,778.04	0.520%	8,583.81	11.795%
93	102	Clymer	0.00	0.000%	0.00	0.000%
94	136	Jackson-Gewirtz	54,000.00	0.386%	6,369.04	11.795%
95	N/N	Suber	27,368.50	0.196%	3,227.98	11.795%
TOTAL ALLOWED INVESTOR CLAIMS			\$13,989,345.05	100.000%	\$1,649,974.80	11.795%

## CLASS 5: NON-INVESTOR CLAIMS

Claim #	Vender	Claim Amount	Proposed Distribution Amount
1	203 Platte County Public Administrator (for RCF)	\$4,840.72	\$0.00
2	205 Billy Jack May	570.00	0.00
3	206 Access Done Easy LLC	1,091.83	0.00
4	207 EVCO Wholesale Food Corp.	7,351.15	0.00
5	208 Armine Pogosyan	500.00	0.00
6	209 Vend Lease Company, Inc.	1,761.65	0.00
7	211 Precision Air Conditioning & Mechanical	250.38	0.00
8	212 Gym Management Services	600.00	0.00
9	213 City of Excelsior Springs, Missouri	1,370.73	0.00
10	215 Kevin Fry	818.90	0.00
11	216 Sysco	2,396.15	0.00
12	Ron Young	317.59	0.00
TOTAL GENERAL UNSECURED CLAIMS		\$21,869.10	\$0.00

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EXHIBIT 4

## PURCHASE AND SALE AGREEMENT

This PURCHASE AND SALE AGREEMENT (the “Agreement”) is entered into as of September 5, 2017 by and between IRA Services Trust Company, Custodian FBO: Barbara H. Valadez (the “Purchaser”), and Robert P. Mosier, the Receiver of Secured Capital Investments, LLC and its affiliates and subsidiaries (the “Seller”). The Purchaser and the Seller are referred to herein collectively as the “Parties.”

### **RECITALS**

WHEREAS, the Securities and Exchange Commission initiated an action against Secured Capital investments LLC on September 3, 2015, entitled *Securities and Exchange Commission v. Secured Capital Investments, LLC, et al.*, presently pending before the United States District Court, Central District of California, as Case No. CV15-01792-VAP(KKx) (the “SEC Action”).

WHEREAS, the Seller desires to sell all of the estate’s right, title and interest in the membership interest of 1.5 limited liability company units (the “Units”) in Landwin Partners Fund I, LLC (“Fund I”);

WHEREAS, the Purchaser is an existing investor in Fund I and desires to acquire additional units in Fund I;

WHEREAS, pursuant to Sections 15.4 and 16.1 of the Fund I Operating Agreement granting members of Fund I a right of first refusal on any member’s sale of units, the Seller notified Fund I of its desire to sell the Units, specifying the terms and conditions of the offer to sell the Units, and Fund I in turn notified all other Fund I members of Seller’s offer;

WHEREAS, the Purchaser was the only Fund I member who expressed interest in purchasing the Units pursuant to the Seller’s terms within the prescribed time period; and

WHEREAS, the Purchaser desires to purchase, and the Sellers desire to sell, the Units pursuant to the Seller’s terms.

NOW, THEREFORE, in consideration of the promises and of the mutual representations, warranties, and covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

## AGREEMENT

1. Court Approval. This Agreement is conditioned on entry of an order in the SEC Action authorizing the Receiver to enter into this Agreement and to sell the Units.

2. Purchase and Sale. Subject to the terms and conditions of this Agreement, Seller hereby sells, assigns, transfers and delivers to the Purchaser, and the Purchaser hereby purchases from the Seller, all right, title and interest in the Units owned by the Seller for the total purchase price of \$8,000 (the "Purchase Price"). Within 5 days of Court approval of this Agreement: (a) the Purchaser shall deliver to the Seller the Purchase Price via cashier's check, wire transfer, or other means mutually agreeable to the Parties; and (b) upon receipt of the Purchase Price, the Seller shall deliver to the Purchaser any and all documents in the possession or control of the Seller that relate to ownership of the Units, including Unit certificates. The Seller hereby acknowledges and confirms that payment of the Purchase Price by the Purchaser represents full and final consideration for the Units and that Seller shall not be entitled to any further consideration of payment with respect to the Units, except as set forth herein.

3. As-Is Sale. Upon Court approval of this Agreement and payment for the Units, as provided in Sections 1 and 2 of this Agreement, the Purchaser will acquire the Units, as-is, where-is, without warranty or representation.

4. Seller's Authority. The Seller represents that it has full power and authority to enter into this Agreement, subject to Court approval. This Agreement has been duly and validly executed and delivered by, and is the valid, legal and binding obligation of, the Seller, subject to Court approval.

5. Purchaser's Authority. The Purchaser represents that it has full power and authority to enter into this Agreement, and has taken all action necessary to authorize the transactions effected hereby. Except for consents already obtained, no consents, approvals, orders or authorizations of any third party, including governmental bodies, are known or believed to be required for the execution, delivery, or performance of this Agreement by the Purchaser. This Agreement has been duly and validly executed and delivered by, and is the valid, legal and binding obligation of, the Purchaser.

6. Transfer of Units. The Seller consents to the transfer of the Units contemplated in this Agreement, and withdraws as a Member of Fund I, effective upon Court approval and the payment for the Units, as provided in Sections 1 and 2 of this Agreement.

7. No Liability to Receiver. Purchaser acknowledges and agrees that the Seller is entering into this Agreement solely in his capacity as Receiver in the SEC

Action and has no obligation, liability or responsibility in his individual capacity to Purchaser.

8. Governing Law and Dispute Resolution. This Agreement shall be governed by the laws of the State of California as to all matters, including but not limited to matters of its validity, construction, effect, and performance, except that no effect shall be given to California's choice of law principles. Any disputes arising out of, relating to, or in connection with this Agreement or any subsequent breach of this Agreement shall be resolved by the United States District Court presiding over the SEC Action, which shall maintain jurisdiction over the SEC Action for the purpose of enforcing this Agreement.

9. Entire Agreement. This Agreement constitutes the entire agreement between the Parties. This Agreement may not be amended or supplemented except in a writing signed by the Parties. All prior oral and written agreements, if any, are expressly superseded hereby and are of no further force or effect.

10. Further Acts. Each Party agrees to execute such additional documents or to provide such additional information as may be reasonably requested by the other Party to carry out the provisions of this Agreement.

11. Section Headings. The section headings contained in this Agreement are for convenience only, and will not in any way affect the interpretation of this Agreement.

12. Preparation. This Agreement has been carefully read and reviewed by each Party, and the contents of this Agreement are known, understood and agreed to by each, and each has had a full and thorough discussion of each and every provision of this Agreement with its respective attorney (as applicable). The Parties acknowledge the full opportunity to contribute to the preparation of this Agreement, and no Party shall be considered to have drafted the Agreement.

13. Counterparts. This Agreement may be executed in counterparts. A fax copy of a signature on this Agreement shall be conclusive evidence of the signing Party's agreement hereto.

[SIGNATURES ON THE FOLLOWING PAGE]



IN WITNESS THEREOF, the Parties have entered into this Agreement as of September 5, 2017.

Purchaser

\_\_\_\_\_

By: Barbara H. Valadez

Its: \_\_\_\_\_

Seller

  
\_\_\_\_\_

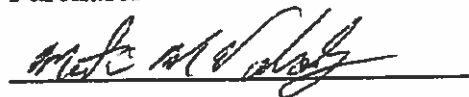
By: Robert P. Mosier

Its: Receiver

IN WITNESS THEREOF, the Parties have entered into this Agreement as of September 5, 2017.

Purchaser

Seller



\_\_\_\_\_

By: Martin M. Valadez

By: Robert P. Mosier

Its: Ira Services Trust Company,  
Custodian, FBO: Martin M. Valadez

Its: Receiver

EXHIBIT 5

1 KATHY BAZOIAN PHELPS (State Bar No. 155564)  
2 *kphelps@diamondmccarthy.com*  
3 DIAMOND MCCARTHY LLP  
4 1999 Avenue of the Stars, Suite 1100  
5 Los Angeles, California 90067-4402  
6 Telephone: (310) 651-2997

7  
8 *Counsel for Robert P. Mosier,*  
9 *Permanent Receiver*  
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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

PAUL MATA, DAVID KAYATTA,  
MARIO PINCHEIRA, SECURED  
CAPITAL INVESTMENTS, LLC,  
LOGOS REAL ESTATE HOLDINGS,  
LLC, LOGOS WEALTH ADVISORS,  
INC., and LIFETIME ENTERPRISES,  
LLC (*dba* LOGOS LIFETIME  
UNIVERSITY),

Defendants

Case No. CV15-01792 VAP (KKx)

**[PROPOSED] ORDER GRANTING  
RECEIVER'S MOTION TO: (1)  
APPROVE RECEIVER'S FINAL  
REPORT AND ACCOUNTING; (2)  
APPROVE FINAL DISTRIBUTION  
PLAN; (3) SELL OR ABANDON  
PROPERTY; (4) CLOSE THE  
RECEIVERSHIP; (5) DISCHARGE  
THE RECEIVER; AND (6)  
AUTHORIZE DESTRUCTION OF  
RECEIVERSHIP RECORDS AND  
MISCELLANEOUS PROPERTY**

Date: November 6, 2017

Time: 2:00 p.m.

Place: 350 W. 1<sup>st</sup> St.,  
Courtroom 8A, 8<sup>th</sup> Floor  
Los Angeles, CA 90012

1 The matter of the Receiver's Motion for Order to: (1) Approve Final Report  
2 and Accounting; (2) Approve Final Distribution Plan; (3) Sell or Abandon Property;  
3 (4) Close the Receivership; (5) Discharge the Receiver; and (6) Authorize  
4 Destruction of Receivership Records and Miscellaneous Property (the "Motion")  
5 filed by Robert P. Mosier, the permanent receiver ("Receiver") for Secured Capital  
6 Investments, LLC, Logos Real Estate Holdings, LLC, Logos Wealth Advisors, Inc.,  
7 and Lifetime Enterprises, LLC (dba Logos Lifetime University), as well as  
8 Indestructible Peak Management, Inc., Renaissance Management, LLC, 9327  
9 Fairway View Place, LLC, Logos Management Group, LLC, Logos Insurance  
10 Group, Inc., World Gardens Café, LLC, Chef Ravi Recipes, LLC, Destiny With a  
11 Purpose, LLC, and their subsidiaries and affiliates including Justina Court LLC and  
12 Superior Park RCF, LLC (collectively, the "Receivership Entities") came on  
13 regularly for determination at the above-referenced date, and place before the  
14 Honorable Virginia A. Phillips, Chief United States District Judge presiding. The  
15 Court has reviewed and considered the Motion and all pleadings and papers filed in  
16 support thereof, and finds that notice of the Motion was appropriate and that the  
17 receivership estate has been fully administered. For good cause appearing therefor,

18 **IT IS ORDERED THAT:**

- 19 1. The Receiver's Motion is **GRANTED** in all respects.
- 20 2. The Receiver's Final Report and Account attached as Exhibit "1" to the  
21 Motion is approved. All actions and activities taken by or on behalf of the Receiver  
22 and all payments made by the Receiver in connection with the administration of the  
23 Receivership Estate are hereby confirmed and approved.
- 24 3. The Receiver's Standardized Fund Accounting Report attached as  
25 Exhibit "2" to the Motion is approved.
- 26 4. The Receiver's Distribution Plan substantially in the form attached as  
27 Exhibit "3" to the Motion is approved and the Receiver is authorized to distribute all  
28 assets of the Receivership Estate in the following priority: (a) pay all allowed

1 administrative expenses and approved fees and expenses of his professionals as a  
2 first priority payment of assets from the estate; (b) make a final distribution of all  
3 remaining assets of the Receivership to the allowed administrative claims and claims  
4 of Investors based on the constructive trust imposed pursuant to prior order; and (c)  
5 subordinate payment of all other claims against the estate, including pre-receivership  
6 claims of taxing agencies and pre-receivership claims of general unsecured creditors,  
7 to the allowed investor claims and make no distribution thereon until after payment  
8 in full of all estate administrative expenses and allowed Investor claims.

9         5. The Receiver is authorized to turn over to the California Department of  
10 Financial Services Bureau of Unclaimed Property those distributions to claimants  
11 which are not negotiated within sixty (60) days of the date of issuance of the check  
12 or are otherwise deemed void, and any other surplus funds. As to those funds to be  
13 turned over to the California Department of Financial Services, to the extent  
14 possible, the Receiver may remit those funds in the name of the party to whom the  
15 distributions were due so that those persons, or their heirs or successors, may claim  
16 those funds in the future.

17         4. The Receiver is authorized to sell the estate's interest in Landwin  
18 Partners Fund I, LLC pursuant to the sale agreement attached as Exhibit "4" to the  
19 Motion.

20         5. The Receiver is authorized to abandon the remaining nominal assets of  
21 the estate including the stock in IE Crowd, the promissory notes and liens identified  
22 in the Motion, and the interest in Destiny with a Purpose.

23         6. The Receiver is authorized to take all steps necessary or appropriate to  
24 complete the administration of the Receivership and its assets in accordance with the  
25 relief granted in the Motion.

26         7. The Receiver is authorized to retain the books and records necessary to  
27 support the tax returns filed by the Receiver for a period of five (5) years and the  
28 medical records in Missouri, and to thereafter destroy those books and records, and

1 the Receiver is authorized to retain a reserve of \$9,500 to pay for the storage and  
2 destruction of the records.

3 8. The Receiver is authorized to destroy, or otherwise dispose of, all  
4 books, records, computer equipment, other computer related-devices, and other items  
5 related to the Receivership in the Receiver's discretion and at such time as he deems  
6 proper if within thirty (30) days after written notice to the Securities and Exchange  
7 Commission, the Commission does not take custody of such records and other items.

8 9. Effective upon the Receiver filing a Closing Declaration in which he  
9 attests that he has completed the final distribution as specified herein, filed the final  
10 necessary tax returns, and paid the final fees and costs of the Receivership with the  
11 exception of the ongoing record storage costs, the Receiver and his agents,  
12 employees, members, officers, independent contractors, attorneys, representatives,  
13 predecessors, successors and assignees are: (i) discharged; (ii) released from all  
14 claims and liabilities arising out of and/or pertaining to the Receivership herein; and  
15 (iii) relieved of all duties and responsibilities pertaining to the Receivership  
16 previously established in this action.

17 10. All persons are enjoined from commencing or prosecuting, without  
18 leave of this Court, any action against the Receiver or his agents in connection with  
19 or arising out of the Receiver's or his agents' services to this Court in this  
20 Receivership. Neither the Receiver nor any agent, employee, member, officer,  
21 independent contractor, attorney or representative of the Receiver shall have any  
22 liability to any person or entity for any action taken in good faith in connection with  
23 carrying out the Receiver's administration of this Receivership Estate.

24 11. The Court shall retain jurisdiction over any and all matters relating to  
25 the Receiver and the Receivership Estate, including any matters relating to the  
26 distribution of funds received by the Receiver in connection with his obligations as  
27 Receiver or otherwise received after the Receivership is closed, and to the extent any  
28 dispute arises concerning the Receiver's administration of the Receivership Estate or

1 to the extent any person or entity seeks to pursue or assert any claim or action against  
2 the Receiver or any agent, employee, member, officer, independent contractor,  
3 attorney or representative of the Receiver, arising out of or related to this  
4 Receivership, the Court shall retain jurisdiction to hear and resolve any such dispute  
5 or claim. The Court expressly retains jurisdiction for the purpose of (a) implementing  
6 and enforcing the provisions of this Order, including but not limited to for the  
7 purpose of enforcing injunctive relief; and (b) reopening the case to administer any  
8 subsequently obtained assets.

9 12. This Receivership shall be closed without further order from this Court  
10 effective upon the Receiver filing a Closing Declaration in which the Receiver attests  
11 that he has completed the final distribution as specified herein, filed the final  
12 necessary tax returns, and paid the final fees and costs of the Receivership with the  
13 exception of the ongoing record storage costs.

14 13. Notice of the hearing on the Motion under Local Rule 66-7 is hereby  
15 deemed sufficient and approved if completed as described in the Motion, timely  
16 served on the parties to the action and known potentially interested parties, including  
17 Investor and Non-Investor Claimants, and with at least 40 days of notice prior to the  
18 hearing on the Motion. Notice of any modifications to the Receiver's original  
19 Proposed Order is further deemed sufficient and approved if a copy of the Court's  
20 Order on the Motion is posted on his website within fourteen (14) calendar days of  
21 being issued.

22  
23 DATED:

24 VIRGINIA A. PHILLIPS  
25 Chief United States District Judge  
26  
27  
28



EXHIBIT 6

KATHY BAZOIAN PHELPS (State Bar No. 155564)  
*kphelps@diamondmccarthy.com*  
DIAMOND MCCARTHY LLP  
1999 Avenue of the Stars, Suite 1100  
Los Angeles, California 90067-4402  
Telephone: (310) 651-2997

*Counsel for Robert P. Mosier,  
Permanent Receiver*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

PAUL MATA, DAVID KAYATTA,  
MARIO PINCHEIRA, SECURED  
CAPITAL INVESTMENTS, LLC,  
LOGOS REAL ESTATE HOLDINGS,  
LLC, LOGOS WEALTH ADVISORS,  
INC., and LIFETIME ENTERPRISES,  
LLC (*dba* LOGOS LIFETIME  
UNIVERSITY),

Defendants

Case No. CV15-01792 VAP (KKx)

**NOTICE OF:**

**(A) MOTION TO: (1) APPROVE  
RECEIVER'S FINAL REPORT  
AND ACCOUNTING; (2)  
APPROVE FINAL DISTRIBUTION  
PLAN; (3) SELL OR ABANDON  
PROPERTY; (4) CLOSE THE  
RECEIVERSHIP; (5) DISCHARGE  
THE RECEIVER; AND (6)  
AUTHORIZE DESTRUCTION OF  
RECEIVERSHIP RECORDS AND  
MISCELLANEOUS PROPERTY**

**AND**

**(B) SECOND AND FINAL FEE  
APPLICATION**

Date: November 6, 2017

Time: 2:00 p.m.

Place: First Street Courthouse  
350 W. 1<sup>st</sup> Street  
Courtroom No. 8A, 8<sup>th</sup> Floor  
Los Angeles, CA 90012

1 PLEASE TAKE NOTICE that on November 6, 2017, commencing at 2:00  
2 p.m. or as soon thereafter as the parties may be heard in the above-entitled Court  
3 located at 350 W. 1<sup>st</sup> St., Courtroom 8A, Los Angeles, California 90012, Robert P.  
4 Mosier, as Permanent Receiver for Defendants Secured Capital Investments, LLC  
5 and its affiliates and subsidiaries (“SCI”), has filed a Motion to: (1) Approve Final  
6 Report and Accounting; (2) Approve Final Distribution Plan; (3) Sell or Abandon  
7 Property; (4) Close the Receivership; (5) Discharge the Receiver; and (6) Authorize  
8 Destruction of Receivership Records and Miscellaneous Property (“Receivership  
9 Closing Motion”).

10 A copy of the Receiver's Final Report and Accounting is attached to the  
11 Motion as Exhibit “1” (the “FAR”). The FAR accounts for the operational and  
12 financial aspects of SCI is for the timeframe of October 8, 2015 (date of  
13 appointment) through August 31, 2017, with exceptions noted where applicable, is  
14 based on the following:

15 1. The Receiver sold eight assets for a gross recovery of \$4,068,250. The  
16 largest of these was the Stor-All Storage facility in Tucson for \$1,200,000 and the  
17 smallest was a single-family residence in Owensboro, Kentucky for \$1,100. After  
18 paying mortgages, delinquent property taxes, and costs, the net to the estate was  
19 \$2,132,970. Other assets sales generated \$50,200. One additional asset remains  
20 unsold: The REIT for \$8,000 that is presented in this FAR for approval by the Court  
21 and overbid. Combined, the sale of real properties and assets generated a net total  
22 (excluding the sale of the REIT that has yet to occur) of \$2,183,170.

23 2. The Receiver abandoned seventeen assets for which there was no  
24 market or demand. Each asset was investigated and the comments regarding the lack  
25 of liquidity are set forth in the Receiver’s Final Report. Many of these are loans  
26 made to individuals who were void of traditional credit credentials. Others are just  
27 bad investments.

28

1           3.     In total, these assets/investments generated another \$370,368 for the  
2 Receivership Estate from rents and rental income. The total of the expenditures  
3 related to the properties and assets were \$256,579.

4           4.     The professional fees for the Receiver, his counsel and accountants paid  
5 to date is \$376,789. These amounts were paid net of a holdback that were ordered by  
6 the Court.

7           5.     The Receiver is holding \$2,109,621 to be used to pay final fees, final  
8 costs to conclude the estate and make final distributions to the Investors. The  
9 approximate amount of cash that may be available for distribution to investors or  
10 \$1,649,974. Based on a total investment of \$13,989,345, the expected return is  
11 11.8%.

12          6.     Fees and costs for the Receiver for the duration of the case (right at two  
13 years) is \$96,111.80. Craig Collins, CPA and Ryan Baker, Senior Financial Analyst  
14 had fees of \$221,277.00 including projected fees to close. The Receiver's field agent  
15 and bookkeeping staff is responsible for banking activity including making all  
16 deposits, issuing checks including the final checks, and reconciling accounts.  
17 Included in this category is a retired bank president, Jim LeSieur who served as a  
18 field agent on site as well as analyzing the defunct loan portfolio. The fees for the  
19 field agent were \$16,345.00; the bookkeeping department's fees and costs are  
20 \$59,885.19 including prospective fees to close. The administrative costs are  
21 \$13,601.50. The total for the Receiver and his staff plus costs are \$407,227.49. Of  
22 this total, \$273,232.71 remains unpaid including holdbacks. The blended hourly rate  
23 for the Receiver and his staff is \$173.

24          7.     Diamond McCarthy, counsel for the Receiver, had fees and costs for the  
25 duration of the case of \$193,793. Of this, \$91,941 has been paid leaving a balance of  
26 \$101,852 in unpaid fees and costs. LoBuglio and Sigman prepared the tax returns  
27 for 3 years. The fees and costs to prepare these tax returns was \$47,054 all of which  
28 remains unpaid. HSNO was brought in to prepare a reconciliation of all pre-

Receiver receipts and disbursements for SCI. The fees and costs for HSNO were \$44,706 of which \$30,117 has been paid leaving an unpaid balance of \$14,589. The total fees and costs for the professionals in this case were \$815,403 (including the fees and costs of Claire Schenk, the temporary receiver) of which \$378,157 has been paid and the balance owing is \$437,246.

A copy of the Receiver's Distribution Plan is attached to the Motion as Exhibit "3." The Distribution Plan seeks authorization to (a) pay all allowed administrative expenses and approved fees and expenses of his professionals as a first priority payment of assets from the estate; (b) make a final distribution of all remaining assets of the Receivership estimated to be in the total amount of about \$1,672,375.21 to the allowed administrative claims and claims of Investors, and (c) subordinate payment of all other claims against the estate, including pre-receivership claims of taxing agencies and pre-receivership claims of general unsecured creditors, to the allowed investor claims and make no distribution thereon until after payment in full of all estate administrative expenses and allowed Investor claims.

## **Second and Final Fee Application**

PLEASE TAKE FURTHER NOTICE THAT the Receiver has filed his Second and Final Fee Application, seeking final approval of interim fees and costs previously paid and approval of additional fees and costs through the closing of the case as follows:

### **A. Prior Fee Request**

<b>Professional</b>	<b>Fees Paid</b>	<b>Expenses Paid</b>	<b>Holdback</b>
Receiver	\$ 67,693.60	\$1,434.99	\$17,275.00
Mosier & Company, Inc.	\$ 63,936.00		\$15,983.50
Diamond McCarthy LLP	\$ 82,434.00	\$9,507.10	\$20,608.40
HSNO	\$ 37,646.00		\$7,529.00
Thompson Coburn LLP	\$116,801.90	\$2,475.90	\$0

CliftonLarsenAllen LLP	\$ 3,352.50		\$0
<b>Totals:</b>	<b>\$371,864.00</b>	<b>\$13,417.99</b>	<b>\$61,395.90</b>

**B. Current Fee Request**

The accrued fees and costs of the professionals incurred during the reporting period of April 1, 2016, through the close of the case, which are the subject of a pending fee application, are as follows:

The requested compensation and reimbursement is summarized as follows:

<b>Professional</b>	<b>Fees Incurred</b>	<b>Costs</b>	<b>Total Requested</b>
Receiver	\$87,145.30	\$2,489.74	\$89,635.04
Reserve for records		\$9,500.00	\$9,500.00
Mosier & Company Inc.	\$141,357.50	\$0	\$141,357.50
Diamond McCarthy LLP	\$76,304.80	\$4,938.55	\$81,243.35
HSNO	\$7,060.00		\$7,060.00
LoBuglio & Sigman	\$46,654.00	\$400.00	\$47,054.00
<b>Total Requested</b>	<b>\$358,521.60</b>	<b>\$17,328.29</b>	<b>\$375,849.89</b>

Therefore, the total additional amounts to be paid to all professionals for fees, inclusive of prior holdbacks of \$61,395.00, is \$419,917.50 and reimbursement of costs of \$17,328.29.

Complete copies of the Closing Motion and the Second and Final Fee Application are posted at the Receiver's website at [www.receivershipofsci.com](http://www.receivershipofsci.com).

The Receivership Closing Motion and Second and Final Fee Application are made pursuant to Local Rule 66-7 and other applicable authority and is made and based on this Notice, the Motions, the supporting Memorandum attached thereto, the files and records in this case, and on such other evidence and arguments of counsel as may be presented by the Receiver hereafter in further support of the Motions.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 7-9, any party who opposes the Motions must, not later than 21 days before the date of the

1 hearing on the motions, serve upon all other parties and file with the Clerk either (a)  
2 the evidence upon which the opposing party will rely in opposition to the motion and  
3 a brief but complete memorandum which shall contain a statement of all the reasons  
4 in opposition thereto and the points and authorities upon which the opposing party  
5 will rely, or (b) a written statement that that party will not oppose the motions.  
6 Evidence presented in all opposing papers shall comply with the requirements of  
7 L.R. 7-6, 7-7 and 7-8.

8  
9 DATED: September 26, 2017                      DIAMOND McCARTHY LLP

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12 By: /s/ Kathy Bazoian Phelps  
13 Kathy Bazoian Phelps  
14 Counsel for Robert P. Mosier  
15 Permanent Receiver  
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